



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

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Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

AGENDA TOWN BOARD MEETING JUNE 1, 2020

1. **7:00 p.m.** Call Meeting to Order at Heritage Hall, 4200 Otter Lake Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of minutes of May 18, 2020.
5. **Consent Agenda:**
 - A. **Revise South Shore Trinity Lutheran Church Outdoor Mass Schedule to Reflect Weekly Services** – In Accordance with the Township's Special Events Policy, Grant Non-Exclusive Use of Bellaire Beach to South Shore Trinity Lutheran Church, 2480 South Shore Boulevard to Hold Outdoor Worship Services, Weather Permitting & Provided the Stay-at-Home Order is Lifted on June 7, 14, 21, & 28, July 5, 12, 19, 26, & August 2, 9, 16, 23, & 30 Beginning at 9:45 a.m. for Two Hours per Service & to Allow Use of Electricity from the Township's Lifeguard Building to Power the South System, Noting the Church Will Adhere to Any Safety/Social Distancing Guidelines That Are in Place During this Time.
 - B. **Fourth Quarter 2019 Financial Report** – Receive.
 - C. **First Quarter 2020 Financial Report** – Receive.
 - D. **Ordinance No. 69 (Tobacco) Amendment** – Rescind Action to Call Public Hearing for June 15, 2020 to Adopt Amendment - Hearing Not Required.
 - E. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Directional Drill a New Service Line to 4503 Allendale Drive Including Along the North Side of Meadowlands Drive.

White Bear Township's Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.



recycled paper

- F. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Replace an Overhead Service Line with Underground Service Located at 2641 South Shore Boulevard.
- G. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve Comcast Permit to Install by Directional Drilling an underground Cable Along Red Pine Boulevard & 120th Street to Service the Existing Golf Course.

6. **Old Business:**

A. **Ordinance No. 92:**

- 1. Rescind Action to Call Public Hearing.
- 2. Adopt Ordinance.

B. **Emergency Management Team Report:**

- 1. Ramsey County COVID-19 Incident Management.
- 2. Contract Group Update.
- 3. Attorney Update.
- 4. Operations Logistics/Administrative Offices – Rescind Resolution Declaring Civil Emergency.

7. **Public Hearing:** None.

8. **New Business:**

Public Works Director Item:

A. **Ash Tree Stump Removals:**

- 1. Receive Quotes.
- 2. Award Quote.

Town Engineer Item:

B. **Peterson Road Improvement:**

- 1. Receive Feasibility Report.
- 2. Call Neighborhood Meeting.

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General Business:

C. **Stable Property – Sale Process.**

9. **Open Time.**
10. **Added Agenda Items.**
11. **Receipt of Agenda Materials & Supplements.**
12. **Adjournment.**

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**Town Board Meeting
June 1, 2020**

Agenda Number: 1 - 2 - 3 - 4

Subject: Call to Order – 7:00 p.m.
Township Administrative Offices
1281 Hammond Road

Approval of June 1, 2020 Agenda
Approval of Payment of Bills
Approval of Minutes of May 18, 2020

Documentation: June 1, 2020 Agenda
May 18, 2020 Minutes

Action / Motion for Consideration:

Call meeting to order:	8:00 a.m.
Approval of Agenda:	June 1, 2020 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	May 18, 2020 Meeting

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The meeting was called to order at 8:00 a.m.

Present: Supervisors: Prudhon, Ruzek, McCune; Town Clerk-Treasurer: Christopherson; Attorney: Lemmons; Public Works Director: Reed; Town Finance Officer: Kelly; Town Planner: Riedesel; Town Engineer: Poppler

The meeting was held at the Town Office Conference Room, present there were the Town Attorney, Town Clerk and the Town Planner. Town Board Chair Prudhon, Supervisors McCune and Ruzek, Town Finance Officer, Town Engineer, Public Works Director, and guests were present via telephone conference. The motions, seconds, and votes were stated by roll call as directed.

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved to approve the agenda as submitted. McCune seconded. Ayes all.

APPROVAL OF PAYMENT OF BILLS: Ruzek moved to approve payment of bills. McCune seconded.

APPROVAL OF MINUTES OF MAY 4, 2020 (Additions/Deletions): Ruzek moved to approve the minutes of May 4, 2020 noting that the few corrections noted previously have been made. McCune seconded. Ayes all.

CONSENT AGENDA: McCune moved to approve the consent agenda as follows: 5A) VLAWMO 2019 Financial Report – Based on Finance Officer review & recommendation receive & accept the 2019 Financial Report of the Vadnais Lake Area Water Management Organization; 5B) National Police Week – Adopt resolution recognizing National Police Week as May 10-16, 2020; 5C) Conditional Use Permit Request @ Tamarack Nature Center – Call public hearing for Monday, June 15, 2020 @ 7:00 p.m. to consider a Conditional Use Permit request to allow an addition to the nature center building & other improvements; 5D) Mooring Requests – In accordance with the Portland Avenue Mooring Fees Policy, approve the mooring requests for the 2020 boating season June 1, 2020 through October 1, 2020 for 5373 & 5406 Portland Avenue; 5E) Right-of-Way Setback Variance Request @ 2731 Stillwater Street – Call public hearing for Monday, June 15, 2020 @ 7:00 p.m. to consider a 35' Right-of-Way Setback Variance; 5F) Right-of-Way Setback Variance @ 2317 Hoxie – Call public hearing for Monday, June 15, 2020 @ 7:00 p.m. to consider a 25' Right-of-Way Setback Variance; 5G) White Bear Lake Conservation District Representatives – Adopt resolution re-electing Diane Longville & Bryan DeSmet to three-year terms on the White Bear Lake Conservation District Board of Directors through April 30, 2023; 5H) Polar Lakes Park Ballfield – Based on Public Works Director review & recommendation approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for 2020; 5I) Construction Activity Report – Receive. Ruzek seconded. Ayes all.

ORDINANCE NO. 69 (TOBACCO) – ADOPT AMENDMENT: The Town Attorney reported that he has read the ordinances for neighboring communities such as Shoreview, Little Canada, Vadnais Heights, and White Bear Lake. He noted that the ordinance for Little Canada and Shoreview recommend the Committee's wording, but keeping out a few minor things like

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the preamble, and keep the Town Board's right to grant variances and violations. The Committee wants the violations to be considered criminal, and the Town Board, if stated as the judge, would have say over the degree of the charge (i.e. administrative or criminal). There was discussion on this agenda item being passed at the state level and so perhaps the Town Board should table the discussion to see what language the state adopts first.

Ruzek made the motion to table this agenda item due to the State adopting Tobacco 21 and the uncertainty of the language of the ordinance, noting that the public hearing for this agenda item is called for Monday, June 15, 2020 at 7:00 p.m. at Heritage Hall. McCune seconded. Ayes all.

LIQUOR LICENSE FEES – REFUND OPTIONS: The Town Finance Officer reported that the past discussion of the Town Board has been whether to refund 2 or 3 months of the liquor licenses for the restaurants in the Township. It was noted that liquor stores within the Township will not receive the refund because they have not hurt from the pandemic. The Finance Officer noted that due to the licenses having been purchased in the beginning of the year, it is up to the Town Board whether to grant 2 or 3 months for the liquor license refund.

Ruzek motioned to refund 3 months of on sale and Sunday liquor for Lucy's, Zen Asia, Orchid, Applebee's, Emagine White Bear, and Red Luna as shown in the packet. McCune seconded. Ayes all.

HOCKEY DAY MINNESOTA – UPDATE: Bob Rode and John Stroh from Fox Sports North, Corey Roberts from Hockey Day Minnesota, and Wayne Petersen and Mike Guzzo from Minnesota Wild were present via telephone conference to discuss the intricacies of Hockey Day Minnesota. The Town Planner introduced the agenda item and noted that he sent out a rough draft comprehensive plan of the entire weekend event to staff.

Roberts reported that the layout of the Township would be similar to the preliminary layout to Bemidji. He explained the layout of the Winter Village to include fire pits. He gave a recap of the history of both Hockey Day Minnesota and the Winter Village portion of the event. It was noted that the Fire Marshall will have to review the plan due to the self-contained, yet open, flames. Some areas of the Winter Village are fenced in and serve alcohol, some are left open. There was some discussion of the construction process and that the Public Works Director will be put into communication with the staff to ensure all details are communicated.

Though the whole event includes the rink available to community and youth teams to play on, the actual event is only one weekend. Setup is on the Thursday prior to the event. The event is 2 days. And then the crew of about 55 people tears down and is gone by about midnight after the event. There was some minor discussion on parking spots and paramedics. It was noted that the requirement is to have paramedics like an organization would for youth or high school athletics.

The Hockey Day Minnesota wanted a Special Events Permit. It was noted that Roberts and the Town Planner will be in contact to get the details of the permit ironed out before the Town Board Executive meeting of Friday, May 22nd. It was noted that staff are excited for the

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possibility of this event being held in the Township, though the year could change if the COVID pandemic social-distancing orders are still in place during the 2021 event, the Township location could be pushed to the year 2023 instead of 2022. As staff iron out the logistics and fine tune details, there will be more information brought before the Board.

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that he met on Monday the 18th with the Ramsey County Manager's Office and went over the numbers of those affected by COVID-19. The majority of the conversation was around neighboring municipalities openings and re-openings. Since the meeting, the Clerk's suggestion for staff is to postpone appointment traffic until June 1st, and continue staggering shifts until June 1st, keeping the office closed to the public until June 1st. This is similar to Township neighbors.

2. Contract Group Update: The Contract Group did not meet. / There are no updates.

3. Attorney Update: The Town Attorney noted that due to the Governor's original order set to expire as of June 1st, that government meetings are now exempt from the 10 person limit. There was discussion of the June 1st Town Board meeting. It was decided that it will be at Heritage Hall at 7 p.m. per normal, with social distancing practicing put in place. The Town Board will lift the Emergency Declaration but keep the Emergency Management Team. Details of the night were discussed: the Board and staff will not wear masks due to the microphone and recording purposes, but will be 6 feet away; Christopherson will handle all incoming traffic, keeping folks outside until their public hearing or agenda item is being discussed, etc. It was noted that staff will set up chairs so there are only a few in the room, granting fewer people to be present in the room at a time.

4. Operations Logistics/Administrative Offices/Public Works – Revise Declaration of Emergency: The Town Clerk's suggestion for staff is to postpone appointment traffic until June 1st, and continue staggering shifts until June 1st, keeping the office closed to the public until June 1st. This is similar to Township neighbors.

5. Park Closing: The Town Clerk reported that the parks are opened, but the activities, celebrations, organizations, and events, etc. are all still tentative in scheduling. It is up to each group to ensure social distancing practices are had at this point. There was some discussion over the portable toilets. There was some discussion on Ramsey County's mandates and the Otter Lake School softball team practicing. It was noted that they were social distancing.

BELLAIRE BEACH LIFEGUARDS – STATUS: The Town Planner reported that the Town has a contract with the YMCA lifeguards for Bellaire Beach life guard needs. Due to the Governor's orders expiring on June 1st, lifeguards will be out a couple weeks after Memorial Day instead of on Memorial Day weekend. There was some discussion over this, but it was determined that due to Ramsey County not opening their beaches, it may be imperative that the Township equip the beach with lifeguards due to the increase in drownings with unsupervised beaches. There was some discussion over the contract and that the wording will have to be changed in an addendum due to the late start of lifeguards this year. Staff will

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be in contact in this agenda item and will get all the details ironed out. There will be more discussion as needed. It was noted that the “No Lifeguard on Duty” sign is placed already. Once the Addendum is drafted it will need to be adopted by the Town Board.

TREE TRUST PLANTING – BRANDLWOOD PARK: The Town Planner reported that Tree Trust had 2 staff out digging holes to plant trees at Brandlwood Park and one of the neighbors interrupted their work, refusing the tree placement and tree type in that area. Though the staff were interrupted by this neighbor, it was noted that the neighbor has no input on the tree plantings to happen at this park.

BIRCHWOOD LIFT STATION #1 – APPROVE ALARM DISABLING: The Public Works Director reported that Birchwood needed to remove a water line to a manhole and the previous contract didn’t include the disabling of the alarm for the lift station. There was some discussion of why it wasn’t in the contract. TKDA has agreed to disable the alarm for a third of the cost. There was an explanation of all the intricacies of disabling the alarm: hooking up the laptop to the mainframe, going into each feature one by one and disabling them. Staff needs the Town Board to approve the contracts, and once the invoice is completed, the Town can bill Birchwood.

Ruzek moved to accept TKDA proposal to disable all of the alarm points for Birchwood Lift Station #1 and to invoice the City of Birchwood once completed. McCune seconded. Ayes all.

PETERSON ROAD – IMPROVEMENT DISCUSSION – NEIGHBORHOOD MEETING DISCUSSION: The Town Engineer summed up previous discussion of Peterson Road: how it is the last gravel road in the Township and the County; there is no sanitary sewer or watermain; part of the road isn’t even on the right-of-way; etc. The Town Board has been looking to fix these things and had talked about it at the Executive Town Board meeting in April. Perhaps the Town could add on Peterson Road improvements during this time to capitalize on the marketable as favorable bids have come in for the 2020 street improvements.

Since north of Mehegan Lane is wetland to the west and the right-of-way isn’t in the road, the north half would be considered in the future. It would make more sense to the Board to improve this part of the road when there is more development in that area. Because of this, the Town wants to include sanitary sewer, water, and paved road to the southern portion of Peterson Road.

He noted the terrain and tree cover gives 2 road options when it comes to the sidewalk: either on the road for a total width of 32 feet (option 1) or off the road for a total width of 34 feet (option 2). There were discussions of both of these options: on road sidewalk is easier to plow, the on road option made sense on one hand because the area is not heavily trafficked; but the sidewalk would connect elsewhere and may make more sense once the rest of the road is finished since the road will be shifted anyway. There was consensus on option 2.

Going from there, once the Board talks more of funding options at the Executive Town Board meeting, then the Town Engineer will set up a neighborhood meeting.

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OTTER RIDGE CIRCLE – AUTHORIZE PREPARATION OF A REPORT FOR A STREET IMPROVEMENT:

The Town Engineer reported that this agenda item was brought to staff's attention by the Board at the last Executive Town Board meeting in which the discussion of capitalizing on the favorable economic conditions for construction bids and loan interest rates. Since then, Town Engineers have worked with staff and looked at the 2014 feasibility study that would need to be made current if Otter Ridge Circle is decided to be added to the list of Town improvements for 2020. There was some discussion of whether the Town should consider this project with the Peterson Road Project. It was noted that this project would make sense to bid with another project. There was some discussion of timing and that construction season is underway already. The Engineer noted that if approved tonight, the feasibility study could be completed before the June 15th meeting, and then staff can proceed from there.

Ruzek moved to authorize TKDA to prepare a feasibility report in an amount not to exceed \$2,450.00 with funding from Improvement Fund 505. McCune seconded. Ayes all.

Ruzek moved to adopt resolution ordering preparation of a report on a street improvement. McCune seconded. Ayes all.

ORDINANCE NO. 92 – ADOPT: The Public Works Director reported that Ordinance No. 92 is simply part of the protocol of the Water Supply Plan staff has been working on. This ordinance needs to be approved first to fulfill requirements for staff to proceed in the Plan that is required by the Federal Government. The Town Attorney has reviewed it and is comfortable with the way it was reviewed. There was some discussion over the need for a public hearing for this ordinance. It was the consensus that there should be.

Ruzek made the motion to call a public hearing for June 15th at 7:00 at Heritage Hall and approve publication for the public hearing in the *White Bear Press*.

ADDED AGENDA ITEMS: There were no added agenda items.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Ruzek motioned to receive all Agenda Materials & Supplements for tonight's meeting. Ayes all.

McCune moved to adjourn the meeting at 8:52 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson
Recording Secretary

Approved as Official Meeting Minutes

Town Board Chair

Date



**Town Board Meeting
June 3, 2020**

Agenda Number: 5.A – Consent Agenda

Subject: Revise South Shore Trinity Lutheran Church Outdoor Mass Schedule to Reflect Weekly Services – In Accordance with the Township’s Special Events Policy, Grant Non-Exclusive Use of Bellaire Beach to South Shore Trinity Lutheran Church, 2480 South Shore Boulevard to Hold Outdoor Worship Services, Weather Permitting & Provided the Stay-at-Home Order is Lifted on June 7, 14, 21, & 28, July 5, 12, 19, 26, & August 2, 9, 16, 23, & 30 Beginning at 9:45 a.m. for Two Hours per Service & to Allow Use of Electricity from the Township’s Lifeguard Building to Power the South System, Noting the Church Will Adhere to Any Safety/Social Distancing Guidelines That Are in Place During this Time.

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

Minutes
Town Board Meeting
May 4, 2020

CONSENT AGENDA: McCune moved to approve the consent agenda as follows: 5A) South Shore Trinity Lutheran Church – In accordance with the Township’s special events policy, grant non-exclusive use of Bellaire Beach to South Shore Trinity Lutheran Church, 2480 South Shore Boulevard to hold outdoor worship services, weather permitting & provided the Stay-at-Home Order is lived on June 24 & 28, July 12 & 26, & August 9 & 23, beginning at 9:45 a.m. for two hours per service & to allow use of electricity from the Township’s lifeguard building to power the south system, noting the church will adhere to any safety/social distancing guidelines that are in place during this time, and noting the submitted COI is on record. Ruzek seconded. Ayes all.



**Town Board Meeting
June 1, 2020**

Agenda Number: 5.B – Consent Agenda

Subject: Fourth Quarter 2019 Financial Report

Documentation: Report

Action / Motion for Consideration:

Receive Information / Discuss

Receive Report

MEMORANDUM

Date: May 20, 2020
 To: Town Board
 From: Tom Kelly, Finance Officer
 Re: Fourth Quarter 2019 Financial Report

Another year is almost in the books. The Town's auditors are reviewing the Town's books and will have the final audit report in June for the Board to review. Therefore, this report is based on unaudited financial records. The Town's revenues are higher than expected, while expenditures are below budget. Both revenues and expenditures reflect the operating transfer of \$81,500 from the General Fund (increases expenditures) to the improvement fund (increases revenue) for the Town's share of the 2019 sealcoat project and the \$200,000 transfer from the park maintenance activity to the park improvement fund for park improvements. Below is a chart comparing budget to actual revenue and expenditures for the years 2018 and 2019.

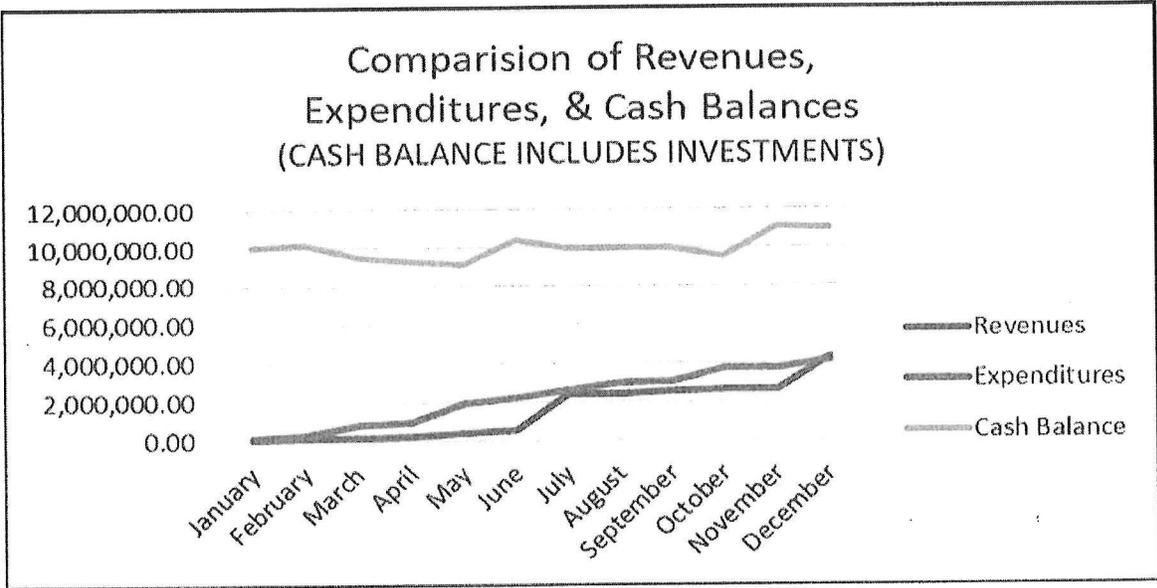
Revenues	2018 Budget	2018 Actual	% Received	2019 Budget	2019 Actual	% Received
General Fund	4,043,491.00	4,273,546.00	105.69%	4,231,356.00	4,339,677.30	102.56%
Debt Service Funds	228,648.00	215,042.92	94.05%	238,545.00	686,143.87	287.64%
Capital Project Funds	1,175,257.00	1,044,553.97	88.88%	1,119,799.00	2,488,237.57	222.20%
Enterprise Funds	4,168,812.00	4,674,455.38	112.13%	4,534,015.00	4,441,663.41	97.96%
Internal Service Fds	816,247.00	601,572.18	73.70%	627,488.00	727,850.48	115.99%
Total	10,432,455.00	10,809,170.45	103.61%	10,751,203.00	12,683,572.63	117.97%

Expenditures	2018 Budget	2018 Actual	% Spent	2019 Budget	2019 Actual	% Spent
General Fund	4,043,491.00	4,059,782.57	100.40%	4,231,356.00	4,168,006.12	98.50%
Debt Service Funds	340,351.00	341,492.82	100.34%	339,154.00	339,198.60	100.01%
Capital Project Funds	1,269,933.00	1,486,852.57	117.08%	5,069,023.00	1,991,678.00	39.29%
Enterprise Funds	4,926,447.00	3,466,171.44	70.36%	7,580,901.00	5,400,746.98	71.24%
Internal Service Fds	937,585.00	347,212.89	37.03%	771,826.00	579,793.74	75.12%
Total	11,517,807.00	9,701,512.29	84.23%	17,992,260.00	12,479,423.44	69.36%

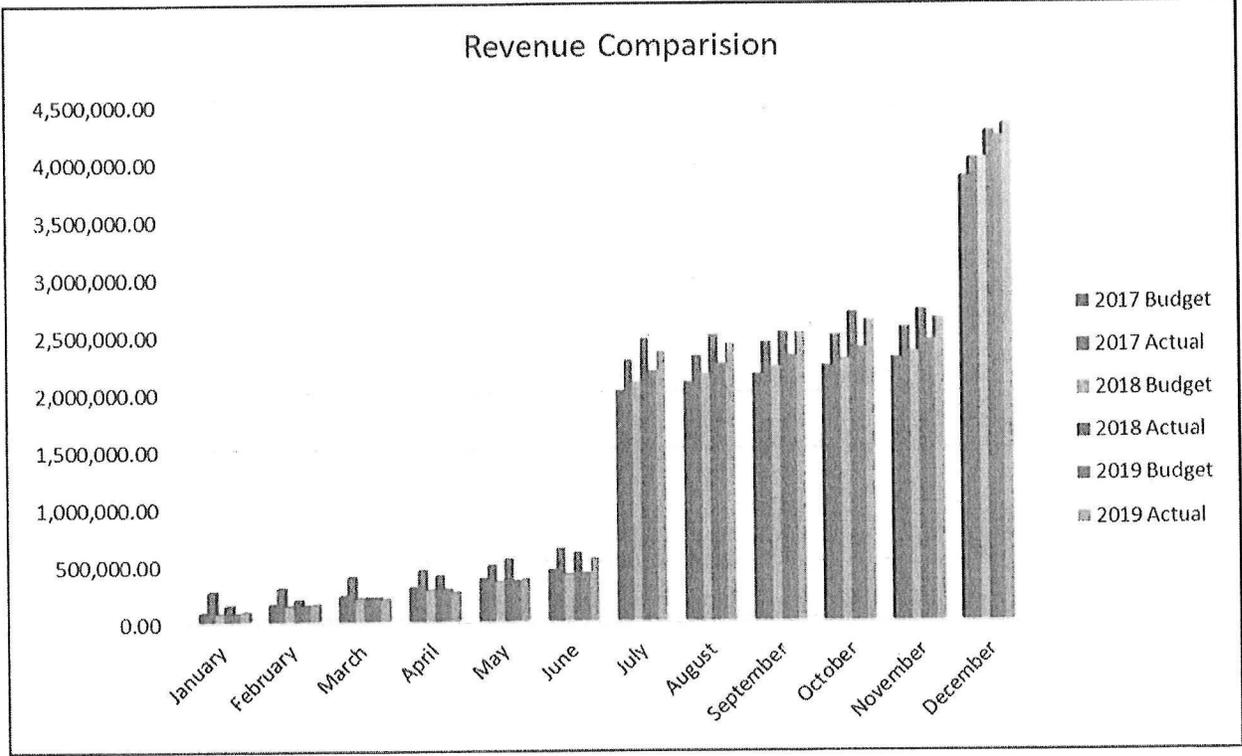
The rest of the report will detail the revenues and expenditures of each fund type.

GENEARL FUND

Revenues are above budget projections and expenditures are under budget. Revenues exceeded budget by almost 2.6% and exceeded 2018 revenues. Meanwhile expenditures were below budget by 2.5%, but are above 2018 expenditures by \$108,223.55. The chart on the following page shows the how dependent the Town is on property tax revenue both as a major revenue source and to cash flow operations. Cash flows decrease most months except in July and December, when property taxes are received and revenues are generally below expenditure levels except in those two months.

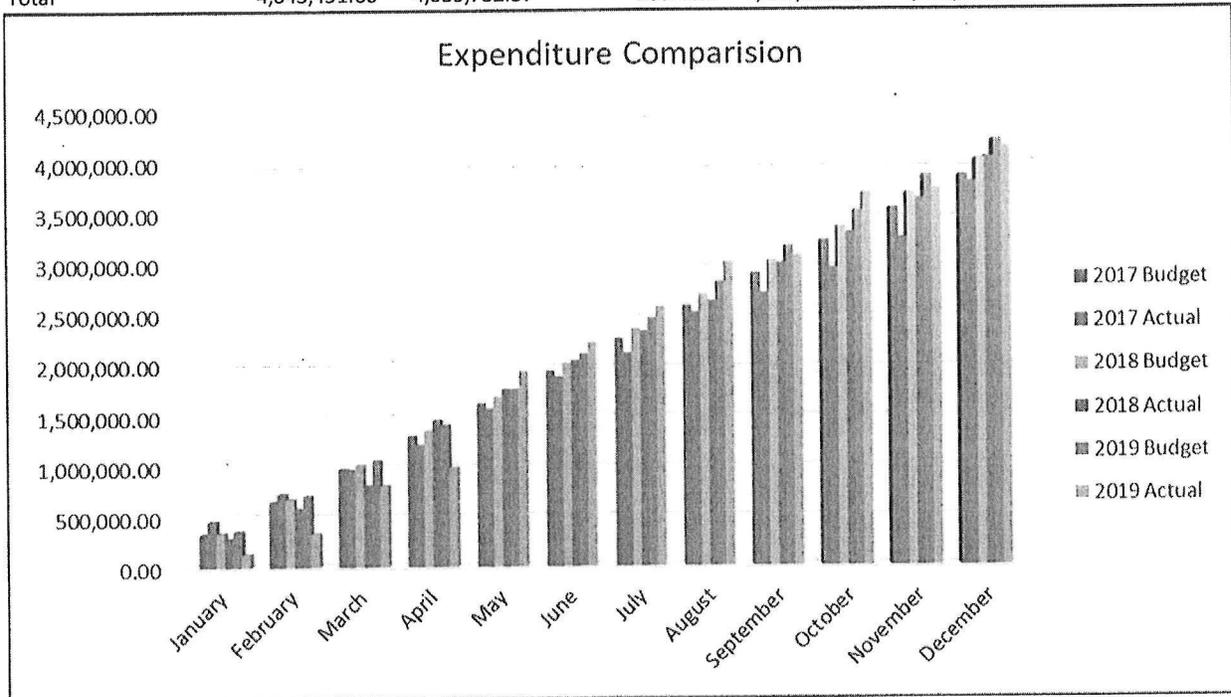


For the year, the Town has received 102% of the budgeted revenue. All revenue categories exceeded their budgets, except property taxes (98.1%). Licenses and permits have exceeded their budget and collected 107.22% of their budgets. All of the line items under the licenses & permits category have exceeded their budget amounts for the year led by building permit revenue, which totaled \$112,929.80 or 102.7% of budget. The Town has received 98.1% of its property tax revenue for the year due to the payment of current and delinquent taxes. The Town collected 100.6% of antenna lease revenues, which reflects the reduced lease revenue on the northeast water tower due to the repainting. The chart below compares budget to actual revenues for the last three years.

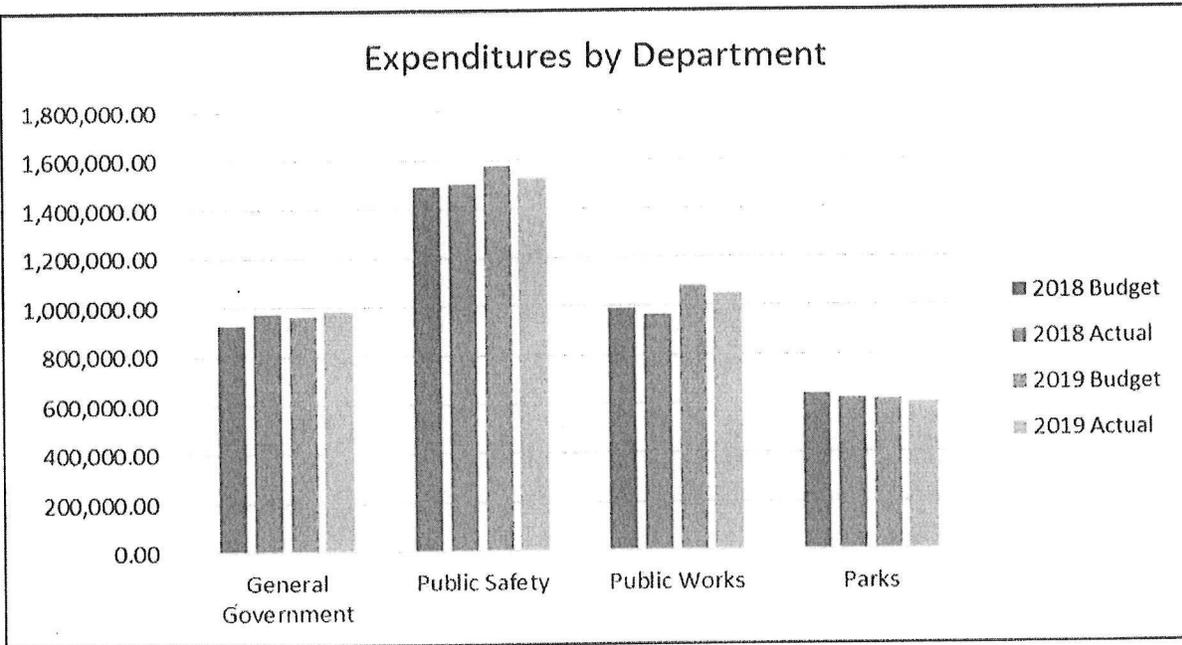


Actual expenditures for the year as state previously are just under the 2019 budget, but over the 2018 actual amounts. The charts below compare 2018 and 2019 budgets and expenditures:

	2018 Budget	2018 Actual	% Spent	2019 Budget	2019 Actual	% Spent
General Government	928,249.00	972,525.10	104.77%	961,254.00	983,569.47	102.32%
Public Safety	1,489,263.00	1,504,119.41	101.00%	1,574,787.00	1,527,389.16	96.99%
Public Works	990,504.00	963,399.75	97.26%	1,080,080.00	1,050,673.38	97.28%
Parks	635,475.00	619,738.31	97.52%	615,235.00	606,374.11	98.56%
Total	4,043,491.00	4,059,782.57	100.40%	4,231,356.00	4,168,006.12	98.50%



The only activities over 100% spent of their budgets for the year are General Government (101%), Administration (107%), Community Development (105%), Code Enforcement (108%), Public Works (109%), and Township Day (105%). The general government activity is over budget for 2019 by \$3,950 and is from the expenditures related to the compensation study. Administration is over budget from the hiring of interns to scan documents, which was not included in the 2019 budget. Community Development is over budget for work done by the consultants on the Town's comp plan update (\$12,524.21) and Public Works is over budget by \$24,807.24 due to fuel costs and equipment repairs. The chart on the following page shows budget to actual comparison by department for the last two years.



Overall, the General Fund is in good shape for the year and for the future. Revenues exceeded expenditures by just over \$171,671.18 and the General Fund's fund balance is just over 50% of the 2020 budget, which is where the Town's reserve policy states it should be.

DEBT SERVICE FUNDS

The Town Debt Service expenditure activity is completed for the year with both the February and August 1st bond payments being made totaling \$339,198.60. The Town issued debt of \$1,210,000.00 for the 2019 street project and now has \$2,170,000.00 in outstanding debt as of 12/31/19 compared to \$1,640,000.00 in 2018. Funding or revenues, which totals \$339,198.60, come from Water Utility Fund revenues as well as property taxes, special assessments, and tax increments.

CAPITAL PROJECT FUNDS

Revenues are from special assessments, interest earnings, the billboard lease in the Community Park Fund, and transfer from the Town's General Fund for the Town's annual sealcoating project. The big revenue source was bond proceeds for the 2019 street project. The expenditures are transfers from the Town's EDA Fund to the Debt Service Funds for their share of 2019 bond payments and cost for the 2019 street project, Pine Hill and Three Oaks Improvement projects. In total revenues were 222.2% of budget at \$2,488,237.57 with expenditures at \$1,991,678.00 or 39.29% of budget.

ENTERPRISE FUNDS

The Town's Enterprise Funds financial information is as follows:

Revenues	2018 Budget	2018 Actual	% Received	2019 Budget	2019 Actual	% Received
Water Fund	1,648,241.00	1,934,410.69	117.36%	1,689,345.00	1,578,220.99	93.42%
Sanitary Sewer Fund	1,969,845.00	2,160,296.55	109.67%	2,258,810.00	2,186,323.84	96.79%
Storm Water Fund	550,726.00	579,748.14	105.27%	585,860.00	677,118.58	115.58%
Total	4,168,812.00	4,674,455.38	112.13%	4,534,015.00	4,441,663.41	97.96%

Expenses	2018 Budget	2018 Actual	% Spent	2019 Budget	2019 Actual	% Spent
Water Fund	1,766,378.00	1,436,528.98	81.33%	4,066,790.00	3,102,556.65	76.29%
Sanitary Sewer Fund	2,394,814.00	1,787,649.10	74.65%	2,544,514.00	2,011,249.43	79.04%
Storm Water Fund	765,255.00	241,993.36	31.62%	969,597.00	286,940.90	29.59%
Total	4,926,447.00	3,466,171.44	70.36%	7,580,901.00	5,400,746.98	71.24%

Revenues for the year are below last year revenues due to 2018 having one extra month of revenues due to the change in billing quarters and decreased water consumption. Expenses for the year are below budget and are higher than prior year expenses due to the water tower painting and other improvements. Keeping in mind that the expense budget for the Enterprise Funds includes depreciation. Again, nothing is unusual for the year for the Enterprise Funds.

INTERNAL SERVICE FUNDS

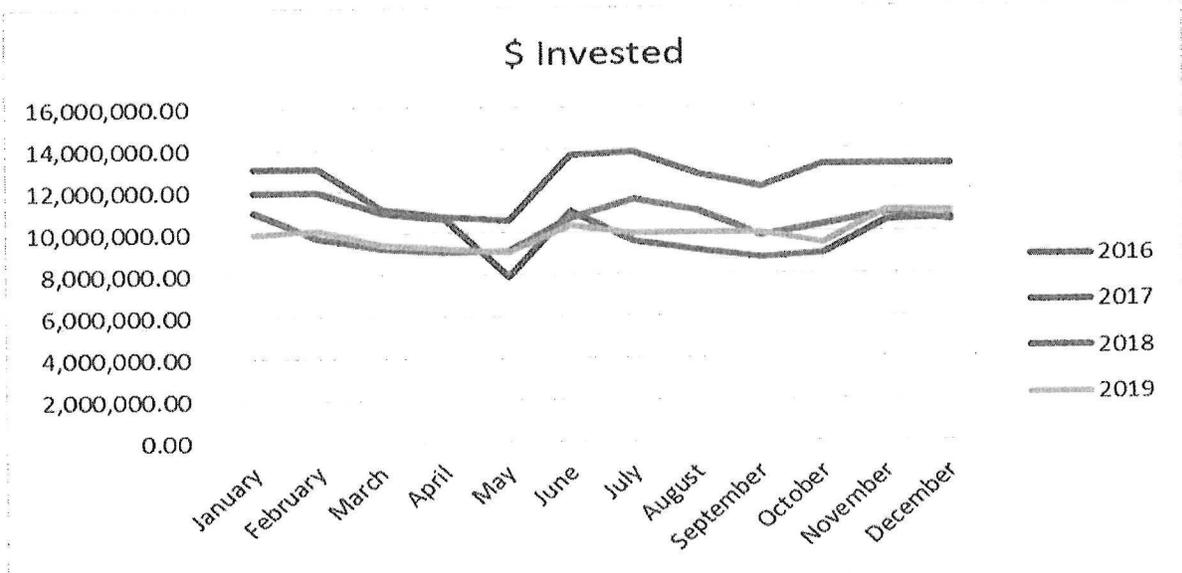
The Town's Town Building, Capital Equipment, and Risk Management Funds collect one-time fees from the General Fund and Enterprise Funds and in the past had received some of the operating transfers from the General Fund to maintain reserves at the proper level.

The Town Building Fund has spent only 55.59% of their budgeted items as some of the larger items budgeted have been delayed until sometime in the future and the funds were not spent in 2019. The majority of the expenditure is for the new landscaping around the administration and public works buildings. The Capital Equipment Fund has spent 89.22% of their budget for small tools, furniture, two trucks in public works, computer equipment and software, and miscellaneous equipment.

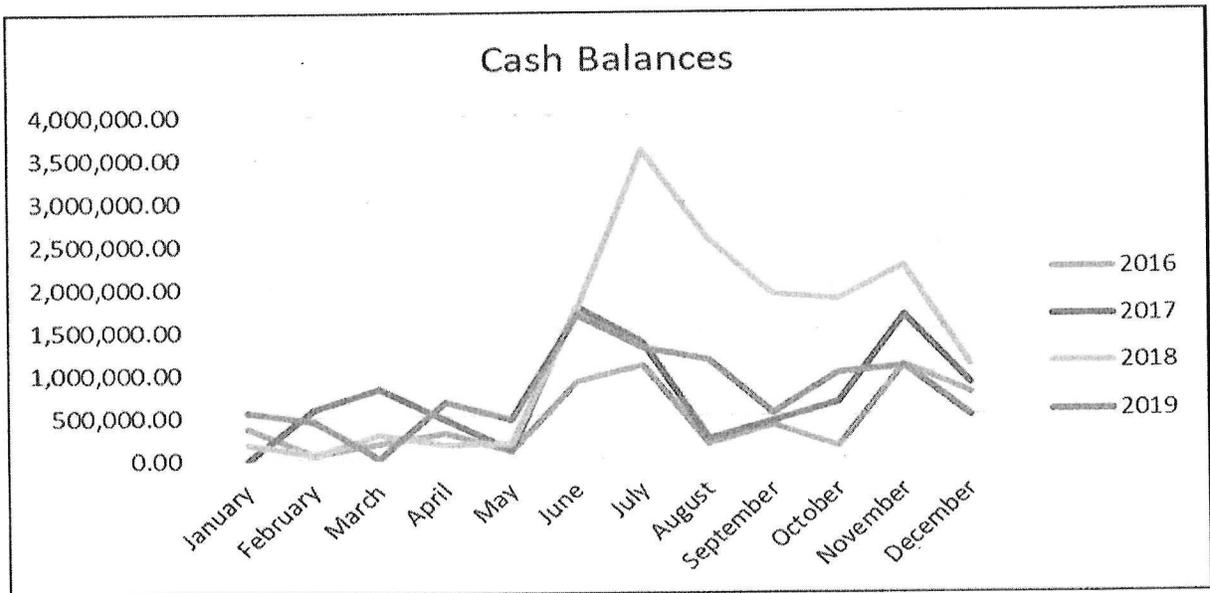
The Risk Management Fund has paid the 2019 worker's compensation premiums and other insurance premiums through October of 2020. Premiums cost the Town \$128,199.13. All of 2019 the worker's compensation premiums were paid for \$40,947.00 compared to \$40,225.98 in 2018. The Town's other insurance policies were under budget, because of increasing deductibles. Overall, the Risk Management fund has spent 96.3% of its 2019 budget.

CASH AND INVESTMENTS

Finally, the Town had \$10,988,760.37 invested as compared to \$10,555,202.16 invested last year at this time. Having more funds invested compared to last year is due to the bond issue, revenues exceeding their budgets, and the utility rate increase. Interest rates remain low. These low interest rates have cause the Town to reinvest its fund when possible in government bonds, which have been purchased at a premium. The payment of premiums results in lower interest earning for the year as premium costs are offset against interest. The investments had an average interest rate of 2.282% compared to 2.765% last year. Again because of the premiums paid the Town's yield to maturity is only 1.916% compared to 2.483% in 2018. The chart on the following page shows the Town's invested funds for the last three years.



The other factor and equally important as funds invested is the Town's cash in the bank. These are the funds the Town uses to pay its bills each month. Since the Town receives the majority of its money in July and December from tax settlements, it's not unusual for the Town to have a large amount of cash available in those months with the funds being drawn down in the proceeding months. Depending on expenditures and other revenues collect the Town may draw on its investments to help meet its cash needs, as has been the case during the most of 2019. The chart below demonstrates the cash flow for the Township the last three years.



CONCLUSION

The Township had a good year financially. Revenues finished the year above budgeted amounts for most revenue sources. Expenditures were below budgeted amounts, but this was due to capital projects. The rate increases in the utility funds has increased revenues to help pay for improvement projects and build reserves for future projects, but water usage is down. The General Fund which has revenues above budget amounts and expenditures below budget amounts would ended the year with a surplus resulting in the Town's fund balance increasing to meet the 50% of 2020 budget amount as stated in the Town's reserve policy. The Township has sufficient cash and investments to meet its obligations, however investment earnings remains low. Therefore, the Township is in good financial shape for 2019. The auditors will be available for the June Executive Meeting to present their findings on the Town's 2019 finances, which may result in some minor changes to the information provided above.



**Town Board Meeting
June 1, 2020**

Agenda Number: 5.C – Consent Agenda

Subject: First Quarter Financial Report - Receive

Documentation: Report

Action / Motion for Consideration:

Receive Information / Discuss

Receive Report

MEMORANDUM

Date: May 21, 2020
 To: Town Board
 From: Tom Kelly, Finance Officer
 Re: First Quarter 2020 Financial Report

It is hard to believe that almost 5 months have already passed in 2020. The Town's revenues and expenditures are where they should be, but not as good as last year at this point in time. The key to the Town's finances are that even though we are 25% through the year, revenues and expenditures do not flow evenly though the year. There are some one time expenditure spent at the beginning of the year which makes the Town look like it will over spend its budget but over the course of the year will actually be in line with budgeted amounts. Likewise, on the revenue side the major revenue source is property taxes and special assessments, which are received in July and December. In addition, utility billing revenues are only received once a quarter. Below is a chart comparing budget to actual revenue and expenditures for the years 2019 and 2020.

Revenues	2019 Budget	2019 Actual	% Received	2020 Budget	2020 Actual	% Received
General Fund	207,075.00	194,516.17	93.94%	222,703.23	189,165.83	84.94%
Debt Service Funds	59,636.25	3,747.38	6.28%	76,848.75	1,199.50	1.56%
Capital Project Funds	279,949.75	25,001.47	8.93%	999,059.25	47,849.94	4.79%
Enterprise Funds	1,133,503.75	44,443.44	3.92%	1,277,426.50	56,139.53	4.39%
Internal Service Fds	156,872.00	0.00	0.00%	153,588.75	0.00	0.00%
Total	1,837,036.75	267,708.46	14.57%	2,729,626.48	294,354.80	10.78%

Expenditures	2018 Budget	2018 Actual	% Spent	2019 Budget	2019 Actual	% Spent
General Fund	1,057,839.00	807,992.71	76.38%	1,122,053.25	867,963.38	77.35%
Debt Service Funds	84,788.50	331,299.85	390.74%	78,474.25	270,948.75	345.27%
Capital Project Funds	1,267,255.75	0.00	0.00%	1,411,161.50	0.00	0.00%
Enterprise Funds	1,895,225.25	683,077.52	36.04%	1,420,153.75	585,944.00	41.26%
Internal Service Fds	192,956.50	121,958.00	63.20%	219,187.50	150,726.14	68.77%
Total	4,498,065.00	1,944,328.08	43.23%	4,251,030.25	1,875,582.27	44.12%

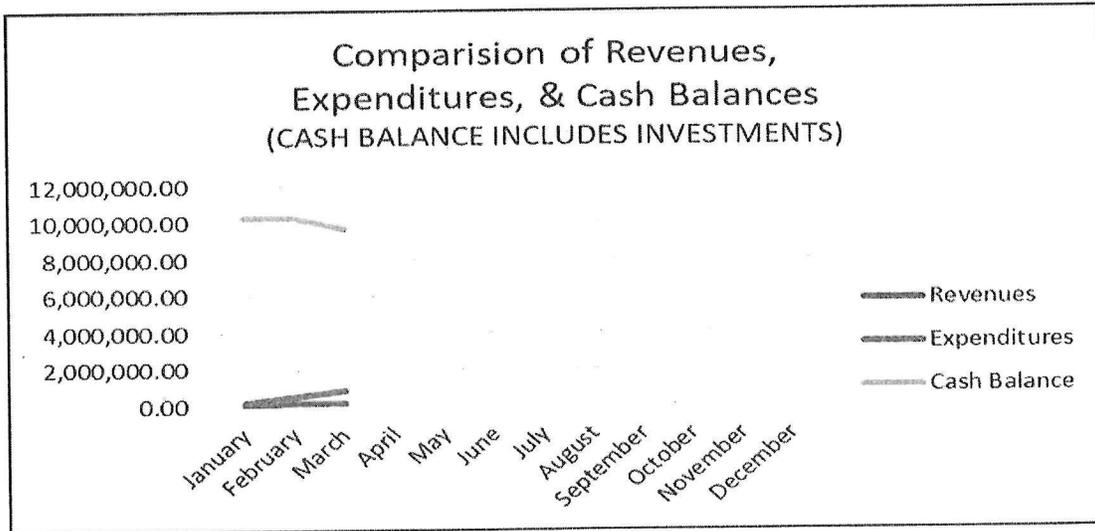
It should be noted that the budget amounts are 1/4th of the fiscal year budget and the actual is year to date actual revenues collected or funds spent. One item to note from the table above is the Town has paid its entire 2020 bond principal, which is why expenditures are 345.27% spent of 1/4 of the budget. By year-end, this will be close to 100% spent.

The rest of the report will detail the revenues and expenditures of each of five fund types.

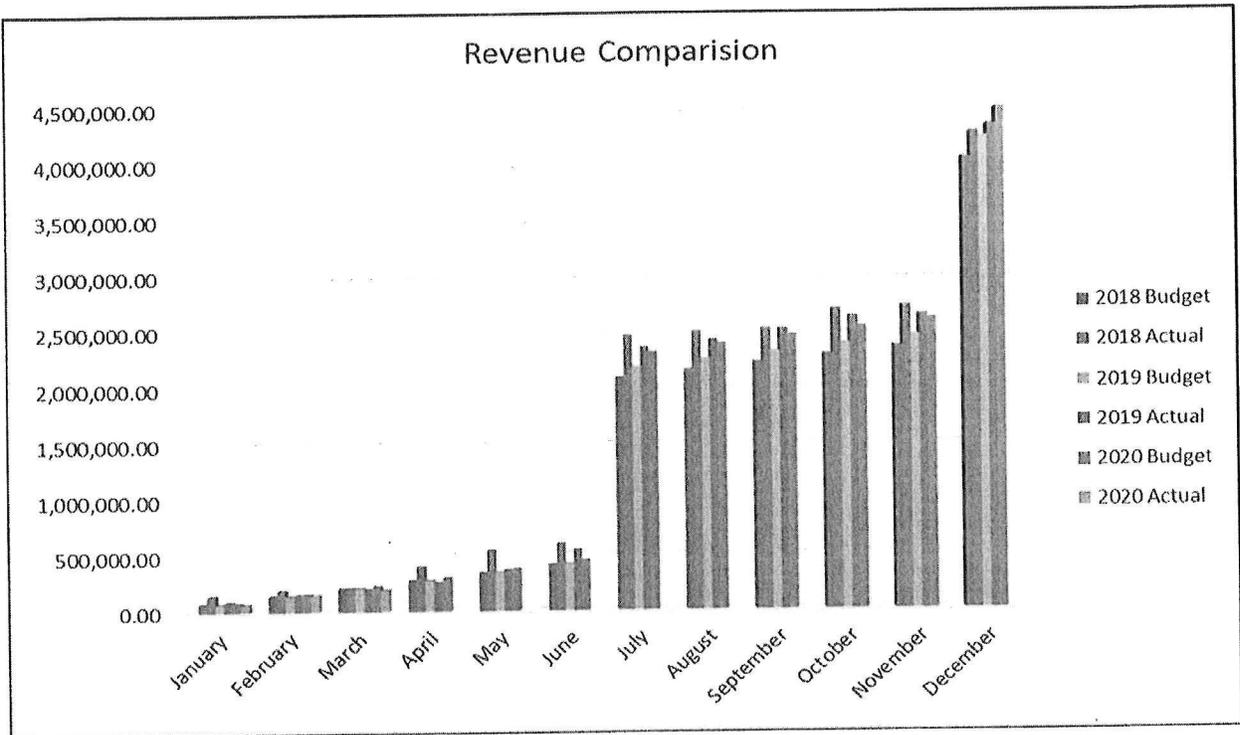
GENEARL FUND

For the first quarter, revenues are close to budget projections and expenditures are below budget, which will be shown in future charts. The one-time payments and transfers, which are

normally made during the first quarter, will be made in the second quarter, as finance did not have time to complete them. The chart below shows how revenues are below expenditures levels for the first quarter, which is typical until the Town receives its first half property tax payment in July. In addition, one can see how the Town depends on reserves (cash balances) until that tax payment is received.

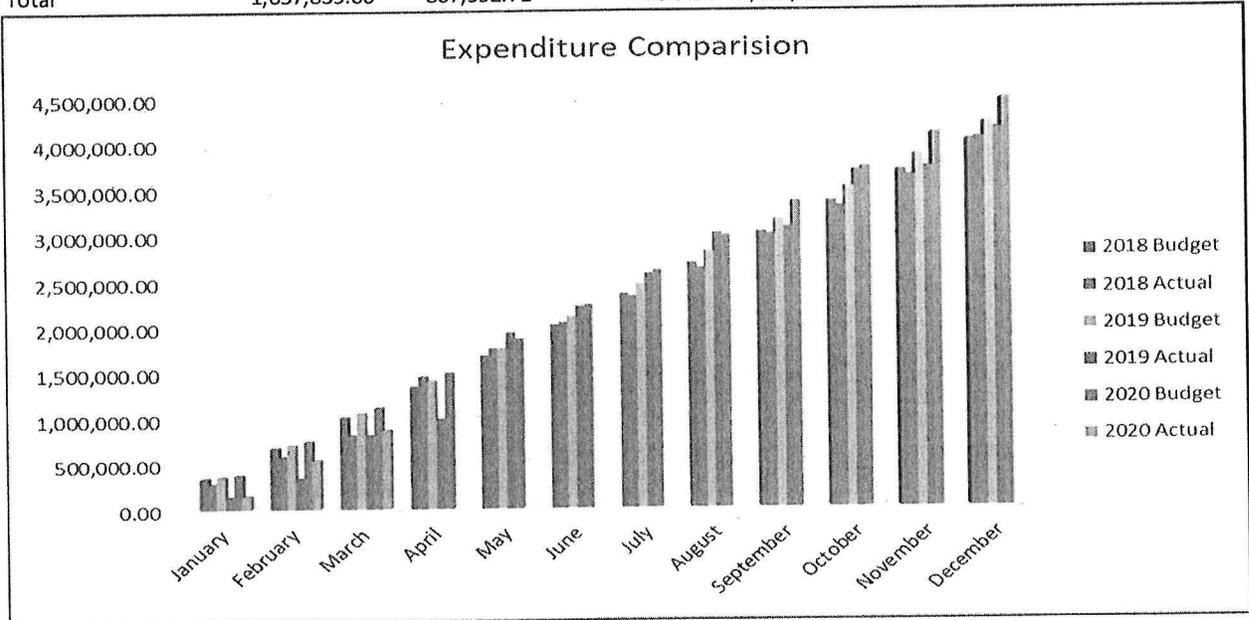


For the year, the Town has received 4.21% of the budgeted revenue through the end of the first quarter, which is below last year (4.60%) at this time. Business and tobacco licenses are renewed at the beginning of each year are all behind last year's revenue. As shown in the code enforcement reports building permit revenue is up from 2019. The rental dwelling and dog licenses are two-year licenses collected in even years resulting in an increase in these two revenue sources. In the past most of the intergovernmental revenues are received in the second or third quarter of the year, so very little has been recorded so far. Also as the weather warms up so does permit activity resulting in increases in those revenue sources. The chart on the following page compares budget to actual revenues for the last three years. For this chart, the monthly revenues are 1/12th of the total revenue budget with the exception of property taxes, which are included in the July and December budget numbers only.



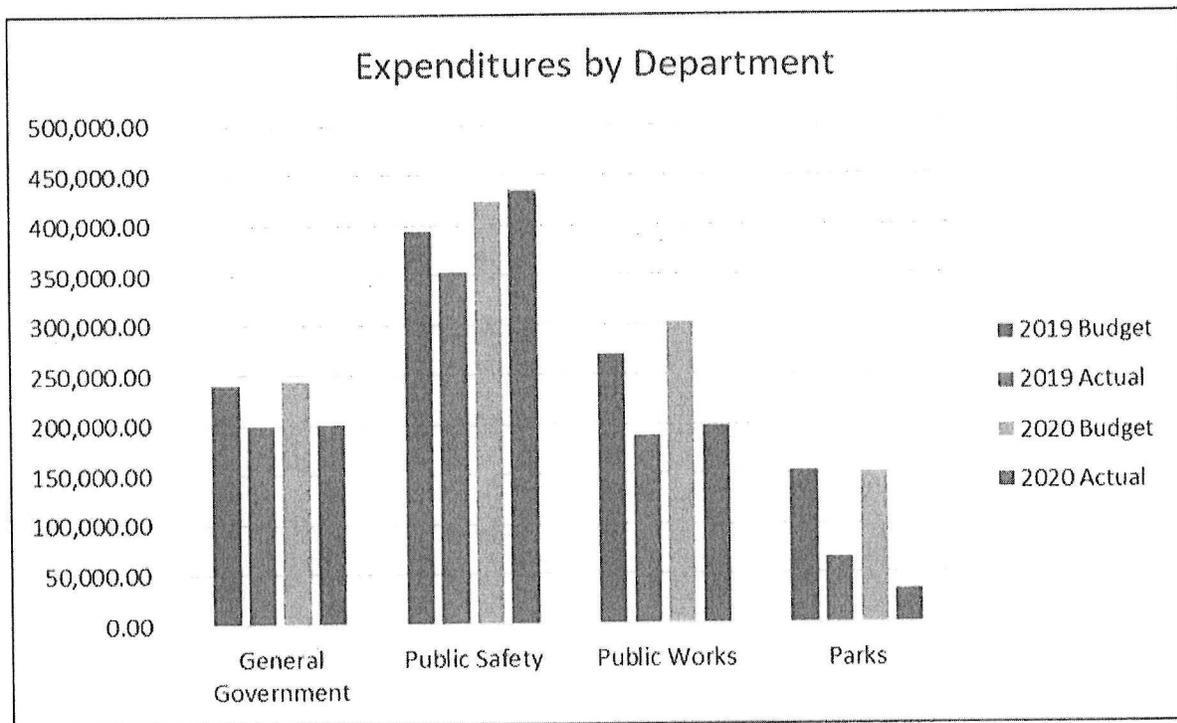
Actual expenditures for the quarter are below the 2020 budget and below the 2019 budget but just above 2019 actual amounts as shown in the charts below:

	2019 Budget	2019 Actual	% Spent	2020 Budget	2020 Actual	% Spent
General Government	240,313.50	199,223.20	82.90%	245,192.00	201,034.02	81.99%
Public Safety	393,696.75	353,363.86	89.76%	422,898.50	434,588.60	102.76%
Public Works	270,020.00	189,051.14	70.01%	302,223.75	198,087.85	65.54%
Parks	153,808.75	66,354.51	43.14%	151,739.00	34,252.91	22.57%
Total	1,057,839.00	807,992.71	76.38%	1,122,053.25	867,963.38	77.35%



If expenditures were spent evenly throughout the year, the Town should have spent 25% of its budget, which is the budget amounts in the previous charts. The only activity that is over 25% spent of their budget after the 1st quarter was fire protection, which has paid 4 months of service through March. The activities, which have one-time expenditures for equipment rental, and insurance fees that were revenues to the Town's Capital Equipment and Risk Management Funds and a one-time transfer to the Capital Projects Funds for the Town's annual sealcoat project, will be recorded in April or May as in previous years.

The bad new is that there are expenditures that occur during the summer months, such as, beach operations (maybe) and part-time public works summer help, all of which will increase expenditures in the coming months for both public works and parks. As the summer months, progress staff will monitor these departments to keep within budget levels. In addition, the Town has part-time temporary intern position, which was included in the budgeted and will increase expenditures as 2020 progresses.



Overall, the General Fund appears to be in good shape through the first quarter of the year. If revenues and expenditures follow, previous year collections and expenditure patters revenues should finish the year above budget amounts while expenditures finish close to budgeted amounts.

DEBT SERVICE FUNDS

On February 1st the Town paid its 2020 debt obligations of \$380,000.00 in principal and \$9,527.50 of interest, compared to \$680,000.00 of principal and \$18,747.50 of interest in 2019. The Town now has \$1,790,000.00 in outstanding debt. The next scheduled debt payment is the interest only payment of \$42,641.39 due August 1st. Funding comes from Water, Sewer, and Storm Water Funds as well as property taxes, special assessments, and tax increments, which the Town will receive with the first half 2020 property tax settlement in July.

CAPITAL PROJECT FUNDS

Revenues received in the first quarter are from the billboard lease in the Community Park Fund and park dedication fees in the Park Acquisition Fund. There are no expenditures at this time as most expenditures happen during the summer month. Again, this is typical for the first quarter of the year for the Capital Project Funds.

ENTERPRISE FUNDS

The Town's Enterprise Funds first quarter financial information is as follows:

Revenues	2019	2019	%	2020	2020	%
	Budget	Actual	Received	Budget	Actual	Received
Water Fund	1,689,345.00	0.00	0.00%	1,892,840.00	18,353.70	0.97%
Sanitary Sewer Fund	2,258,810.00	40,079.92	1.77%	2,577,916.00	34,216.03	1.33%
Storm Water Fund	585,860.00	4,363.52	0.74%	638,950.00	3,569.80	0.56%
Total	4,534,015.00	44,443.44	0.98%	5,109,706.00	56,139.53	1.10%

Expenses	2019	2019	%	2020	2020	%
	Budget	Actual	Spent	Budget	Actual	Spent
Water Fund	4,066,790.00	173,301.33	4.26%	2,585,302.00	182,177.94	7.05%
Sanitary Sewer Fund	2,544,514.00	473,738.16	18.62%	2,110,166.00	375,896.77	17.81%
Storm Water Fund	969,597.00	36,038.03	3.72%	985,147.00	27,869.29	2.83%
Total	7,580,901.00	683,077.52	9.01%	5,680,615.00	585,944.00	10.31%

Revenues for the first quarter billing will be recorded in April. Revenues consist of WAC and SAC fees collected on new construction in the Three Oaks Development. Expenses for the year are below last year's expenses, in part due to lift station #10 rehabilitation expenses in 2019. Even if these had been recorded in the first quarter, all three Funds would still be below 25% spent. In addition, expenses includes depreciation, which is not recorded until year-end, so by the end of the year expenses should be close to budget amounts. Again, nothing is unusual for the first quarter of the year for the Enterprise Funds.

INTERNAL SERVICE FUNDS

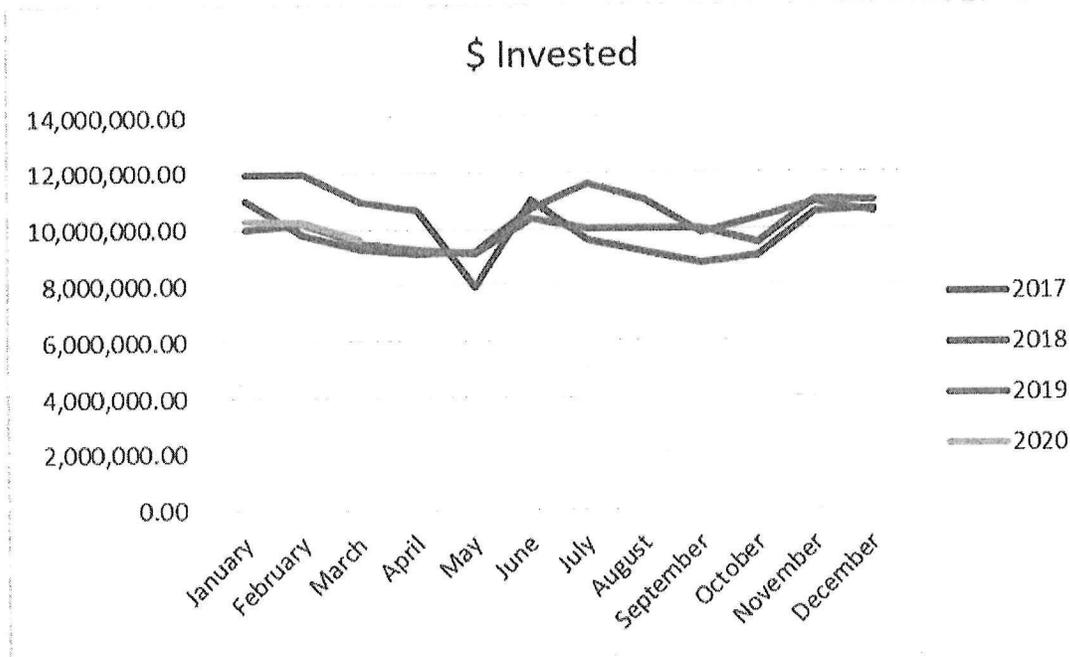
The Town's Town Building, Capital Equipment, and Risk Management Funds have not collected their one-time fees from the General Fund and Enterprise Funds.

The Town Building Fund has spent \$85,905.43 of their budgeted for the administration building remodel; however, other budgeted activities tend to happen more after the first quarter. The Capital Equipment Fund has the purchase of various plow equipment.

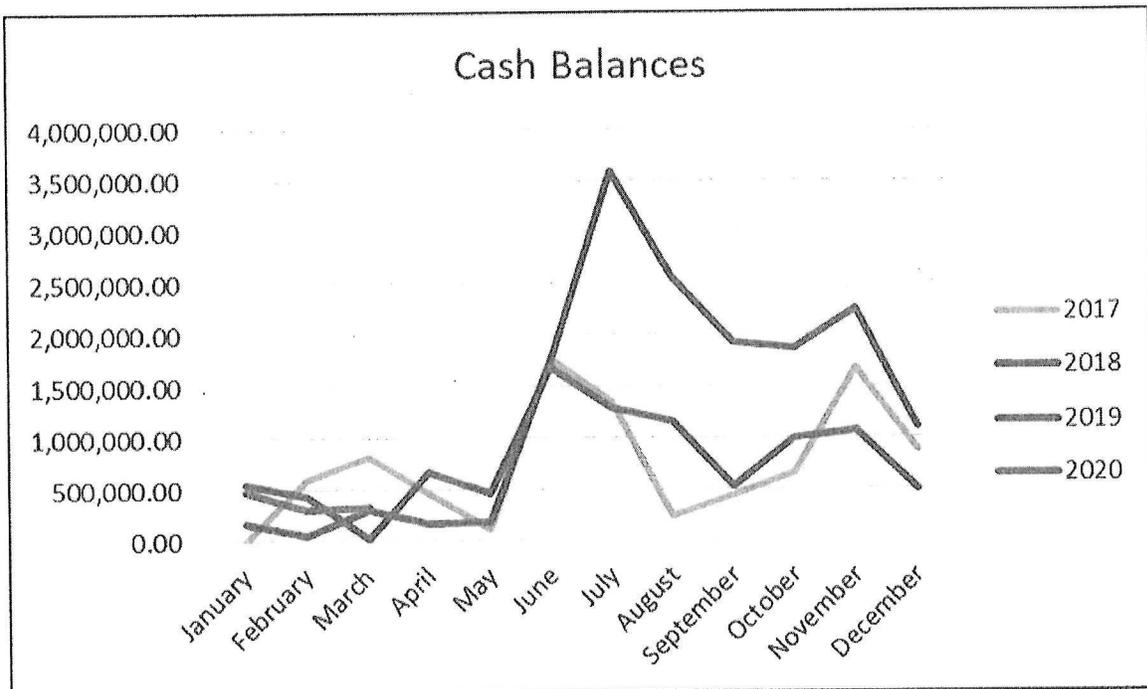
The Risk Management Fund paid the worker's compensation premiums of \$32,549.00 with the other insurance premiums due later this year.

CASH AND INVESTMENTS

Finally, the Town had \$9,664,756.48 invested as of March 31st. This compares to \$9,499,364.73 invested last year at this time. The investments had an average interest rate of 2.90% compared to 3.02% last year. The amount invested has increased from previous years due to the bond issue in 2019 and smaller bond payments. The chart on the following page shows the Town's invested funds for the last four years.



The other factor and equally important as funds invested is the Town's cash in the bank. These are the funds the Town uses to pay its bills each month. Since the Town receives the majority of its money in July and December from tax settlements, it is not unusual for the Town to have a large amount of cash available in those months with the funds being drawn down in the proceeding months. Depending on expenditures and other revenues collect the Town may draw on its investments to help meet its cash needs. The chart below demonstrates the cash flow for the Township over the last four years.



CONCLUSION

The Township had a typical first quarter of the year financially. Through the first quarter, it appears revenues could finish the year above budgeted amounts for most revenue sources and expenditures may end the year at budgeted amounts. Staff will be monitoring expenditures over the summer month to keep expenditures within budget amounts. The Township has sufficient cash and investments to meet its obligations until the Township receives its first tax settlement in July. The Town will need to watch the July tax settlement for possible decreases in payments due to the Covid19 pandemic, which could reduce revenues. However, for the time being, it would appear the Township is in good financial shape for 2020.



**Town Board Meeting
June 1, 2020**

Agenda Number: 5.D – Consent Agenda

Subject: Ordinance No. 69 (Tobacco) Amendment – Rescind Action to Call Public Hearing for June 15, 2020 to Adopt Amendment - Hearing Not Required

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

Rescind Action to Call Public Hearing for June 15, 2020 to Adopt Amendment – Hearing Not Required

**Minutes
Town Board Meeting
May 18, 2020**

ORDINANCE NO. 69 (TOBACCO) – ADOPT AMENDMENT: The Town Attorney reported that he has read the ordinances for neighboring communities such as Shoreview, Little Canada, Vadnais Heights, and White Bear Lake. He noted that the ordinance for Little Canada and Shoreview recommend the Committee’s wording, but keeping out a few minor things like the preamble, and keep the Town Board’s right to grant variances and violations. The Committee wants the violations to be considered criminal, and the Town Board, if stated as the judge, would have say over the degree of the charge (i.e. administrative or criminal). There was discussion on this agenda item being passed at the state level and so perhaps the Town Board should table the discussion to see what language the state adopts first.

Ruzek made the motion to table this agenda item due to the State adopting Tobacco 21 and the uncertainty of the language of the ordinance, noting that the public hearing for this agenda item is called for Monday, June 15, 2020 at 7:00 p.m. at Heritage Hall. McCune seconded. Ayes all.



**Town Board Meeting
June 1, 2020**

Agenda Number: 5.E – Consent Agenda

Subject: Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Directional Drill a New Service Line to 4503 Allendale Drive Including Along the North Side of Meadowlands Drive

Documentation: Town Engineer Correspondence / map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Directional Drill a New Service Line to 4503 Allendale Drive Including Along the North Side of Meadowlands Drive



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

May 27, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: CenturyLink Permit Application
4503 Allendale Drive
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

CenturyLink has applied for a permit to directional drill a new service line to 4503 Allendale Drive including along the north side of Meadowlands Drive. The attached map shows the project.

We recommend approval with the following conditions:

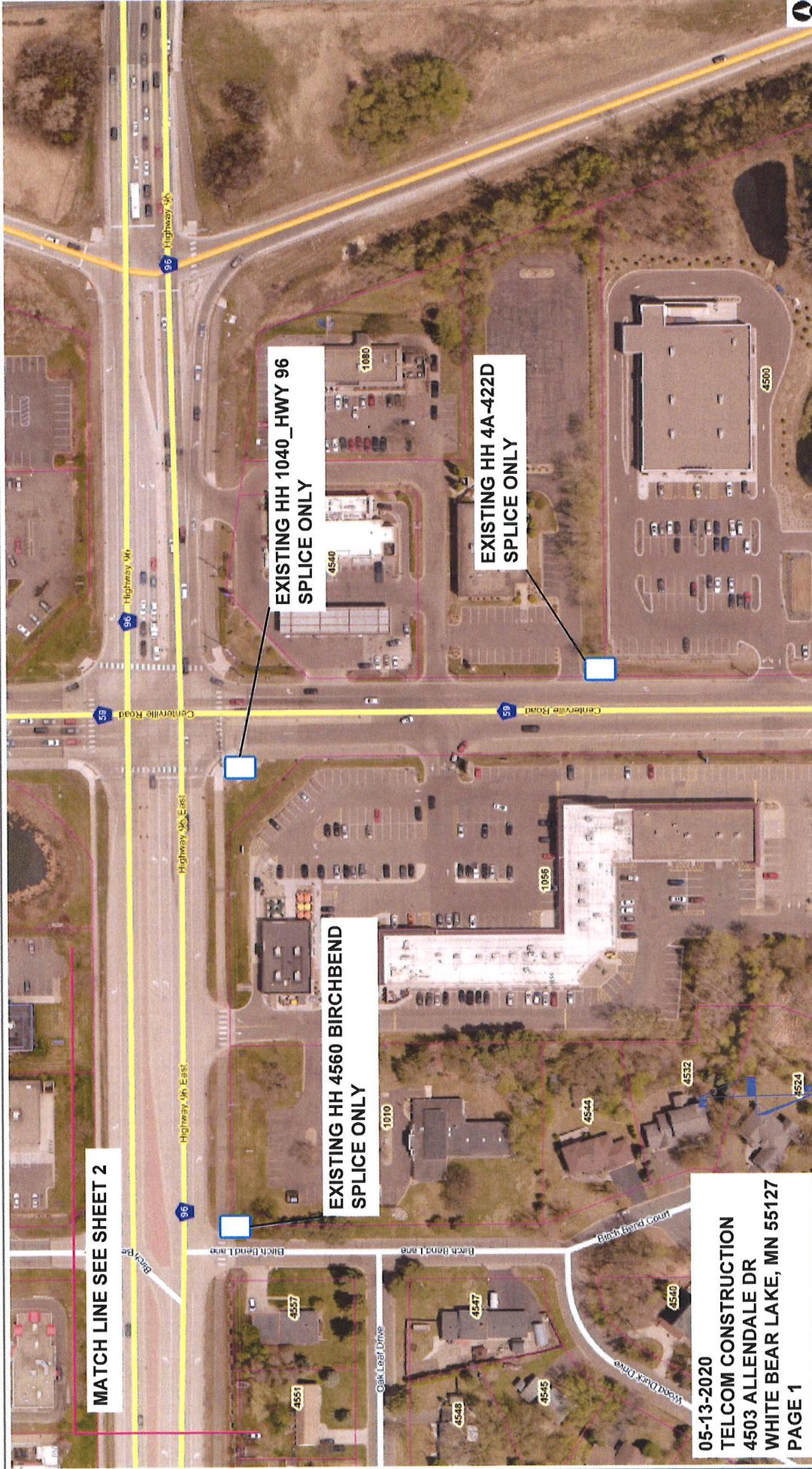
1. Contractor must protect business driveway during installation.
2. Contractor must protect sewer and water services.
3. Contractor must protect Allendale Drive during boring activity.
4. Contractor must install new line behind all hydrants.
5. Disturbed areas shall be restored equal to or better than original condition.
6. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
7. Call Gopher One-Call prior to any work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Studenski', written in a cursive style.

Jim Studenski, PE
Town Engineer

Enclosures

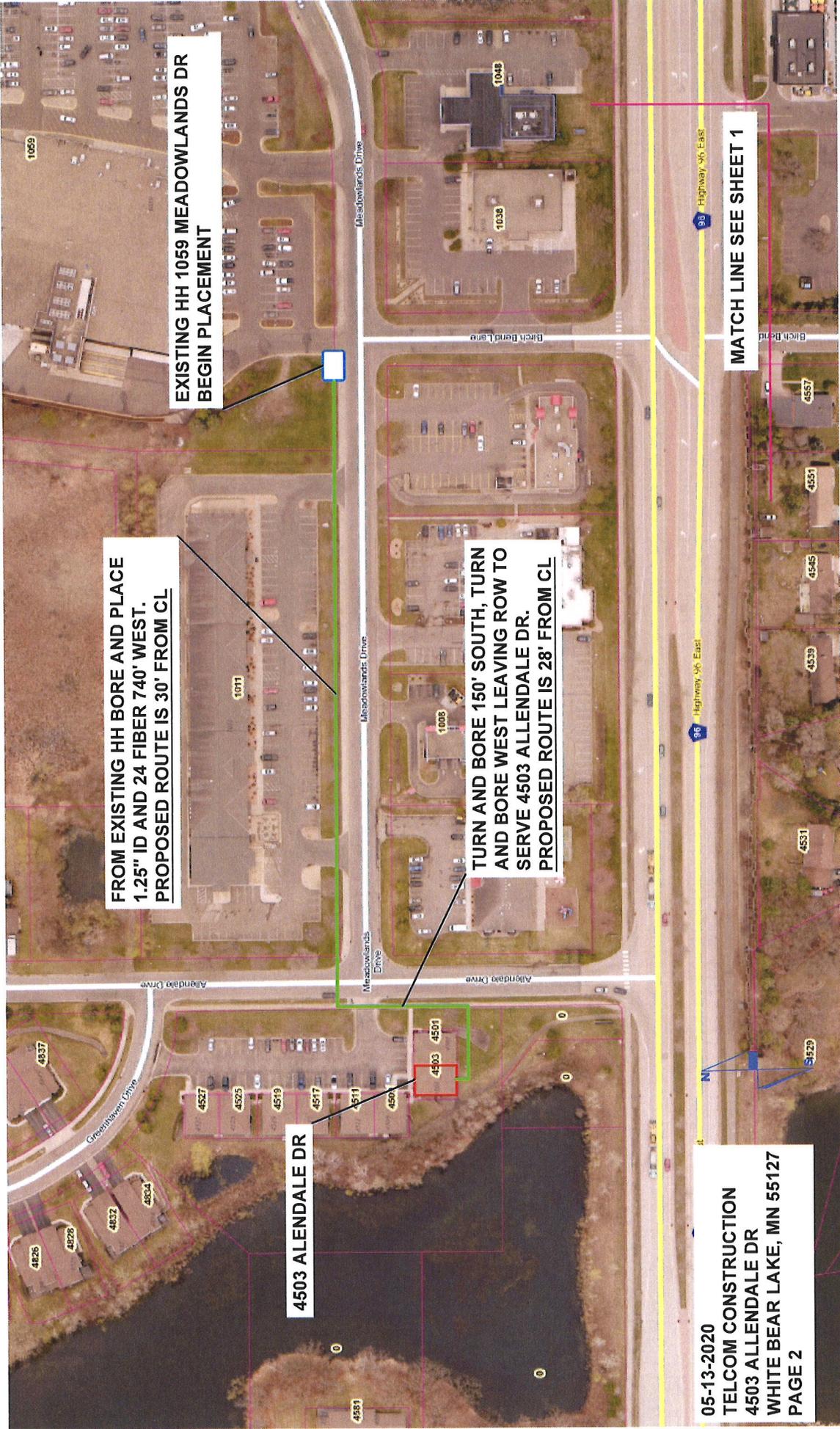


05-13-2020
TELCOM CONSTRUCTION
4503 ALLENDALE DR
WHITE BEAR LAKE, MN 55127
PAGE 1



Notes

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



FROM EXISTING HH BORE AND PLACE
1.25" ID AND 24 FIBER 740' WEST.
PROPOSED ROUTE IS 30' FROM CL

EXISTING HH 1059 MEADOWLANDS DR
BEGIN PLACEMENT

4503 ALLENDALE DR

TURN AND BORE 150' SOUTH, TURN
AND BORE WEST LEAVING ROW TO
SERVE 4503 ALLENDALE DR.
PROPOSED ROUTE IS 28' FROM CL

05-13-2020
TELCOM CONSTRUCTION
4503 ALLENDALE DR
WHITE BEAR LAKE, MN 55127
PAGE 2

MATCH LINE SEE SHEET 1



**Town Board Meeting
June 1, 2020**

Agenda Number: 5.F – Consent Agenda

Subject: Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Replace an Overhead Service Line with Underground Service Located at 2641 South Shore Boulevard

Documentation: Town Engineer Correspondence / map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Replace an Overhead Service Line with Underground Service Located at 2641 South Shore Boulevard



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

May 28, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: XcelEnergy Permit Application
2641 South Shore Boulevard
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

XcelEnergy has applied for a permit to replace an overhead service line with underground service located at 2641 South Shore Boulevard. The attached map shows the project.

We recommend approval with the following conditions:

1. Contractor must protect resident driveway during installation.
2. Contractor must protect sewer and water services.
3. South Shore Boulevard is under the jurisdiction of Ramsey County and future road improvements are in discussions and a permit may be necessary.
4. Disturbed areas shall be restored equal to or better than original condition.
5. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
6. Call Gopher One-Call prior to any work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Studenski'.

Jim Studenski, PE
Town Engineer

Enclosures



1700 E County Road E
White Bear Lake, Minnesota 55110-4658

Date: 5/19/2020
Project #: 104697709 &
104697712
Designer: Tim Rossbach
Phone #: 651-983-2002

APPLICATION OF XCEL ENERGY d/b/a NORTHERN STATES POWER COMPANY

To: TKDA
Attn: Jim Studenski
Jim.Studenski@TKDA.com
1500 Piper Jaffray Plaza
444 Cedar Street
St Paul MN 55101-2140

THIS PERMIT APPLICATION IS FOR WORK IN WHITE BEAR TOWNSHIP

Application is hereby made for permission to replace, construct and therefore maintain:
electric distribution system (see attached sketch).

I. Type of Utility - General Description

Install new underground service, relocate an underground service and remove overhead wires at existing pole in ROW

II. Work to be started upon approval and completed by June 30th, 2020

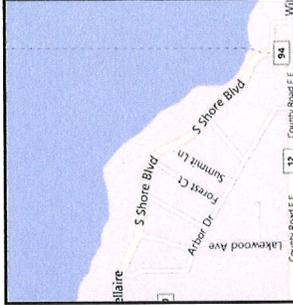
Application Approved:

Xcel Energy
d/b/a Northern States Power Company

Timothy Rossbach

Timothy Rossbach
Sr. Designer – Electric Distribution
1700 E Co Rd E
White Bear Lake, MN 55110

Date: _____



Work Order Information	
Service Request #	00000942461
Design Number	20056
Designer/Planner ID	Rossbach, Tim
Designer/Planner Name	651-779-3122
Designer/Planner Ph #	651-983-2002
Manager Approval	
Joint Utility	
E:	C:
T:	C:
Design Location	
Division	White Bear Lake
County	Ramsey
City	WHITE BEAR TWP
Address	2641 S Shore Blvd
T: 30N	R: 22W
Map #	S: 24
Permit #	W0006
Feeder	
Feeder:	GLK064 Voltage: 7.9 KV PH TO GR
Phase:	C-PHASE Blup Dev ID:
System	
System:	Electric
Size:	Gas
Material:	
Pressure:	
Dead End:	
Work Order #	
Date:	05/13/2020
Sketch:	1 of 1 Sketch Data
Scale:	1" equals 50'

Xcel Energy

CONSTRUCTION USE ONLY

NO CHANGES (BUILT AS DESIGNED)

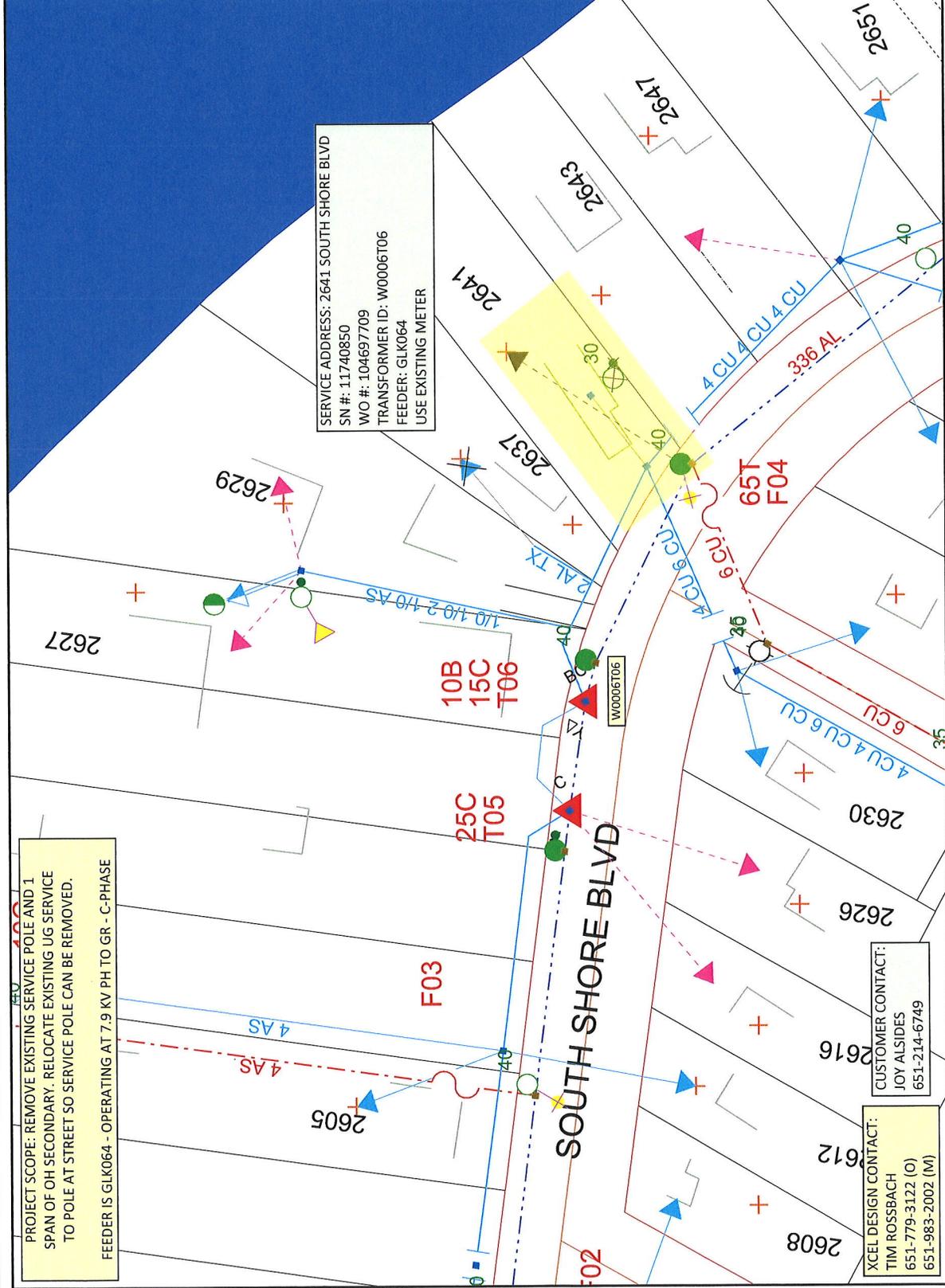
CHANGES MADE AS INDICATED

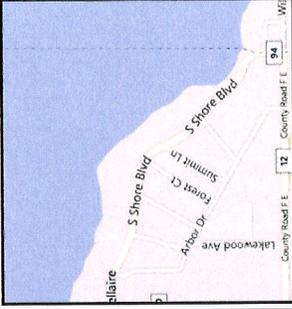
(ALL UPRD MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE)

RFO _____ DATE _____

FOREMAN _____

TEAM LEADER _____



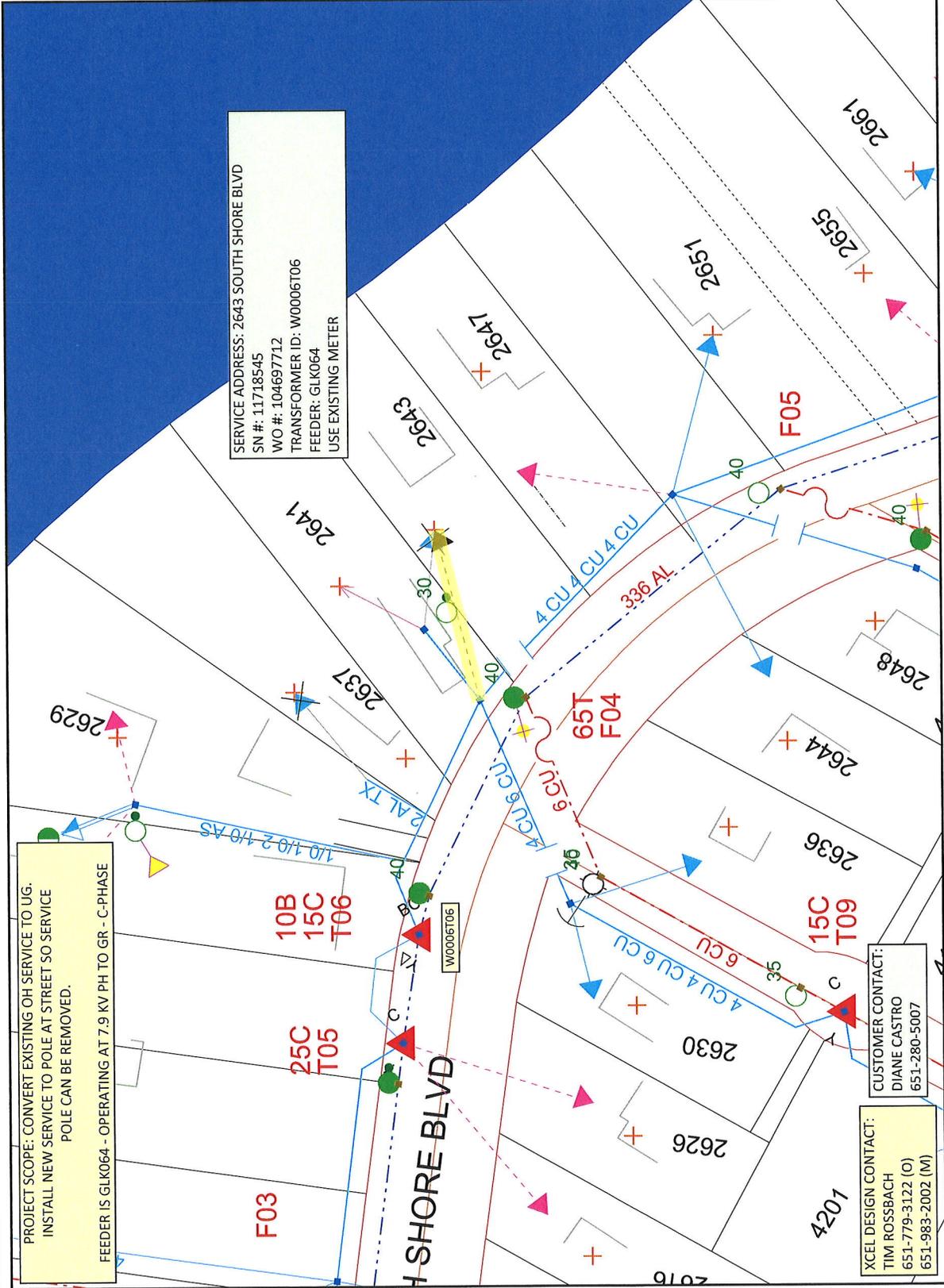
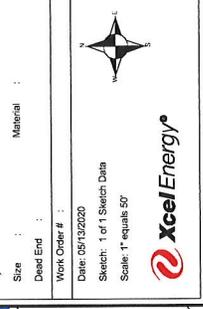
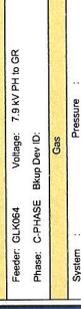


Service Request # : 942460
 Design Number : 200556
 Designer/Planner ID : Rossbach, Tim
 Designer/Planner Name : 651-779-3122
 Designer/Planner Ph # :
 Manager Approval :
 Joint Utility :
 E :
 T :
 Design Location :
 Division :
 County :
 City :
 Address :
 T :
 R :
 S :
 Map # :
 Feeder: GLK064 Voltage: 7.9 KV PH to GR
 Phase: C-PHASE Bkup Dev ID:
 System :
 Size :
 Dead End :
 Pressure :
 Material :
 Gas :
 Work Order # :
 Date: 05/13/2020
 Sketch: 1 of 1 Sketch Data
 Scale: 1" equals 50'

Work Order Information
 Service Request # : 942460
 Design Number : 200556
 Designer/Planner ID : Rossbach, Tim
 Designer/Planner Name : 651-779-3122
 Designer/Planner Ph # :
 Manager Approval :
 Joint Utility :
 E :
 T :
 Design Location :
 Division :
 County :
 City :
 Address :
 T :
 R :
 S :
 Map # :
 Feeder: GLK064 Voltage: 7.9 KV PH to GR
 Phase: C-PHASE Bkup Dev ID:
 System :
 Size :
 Dead End :
 Pressure :
 Material :
 Gas :
 Work Order # :
 Date: 05/13/2020
 Sketch: 1 of 1 Sketch Data
 Scale: 1" equals 50'

CONSTRUCTION USE ONLY
 NO CHANGES (BUILT AS DESIGNED)
 CHANGES MADE AS INDICATED
 ALL URBAN MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE

RFO
 FOREMAN
 TEAM LEADER
 DATE



PROJECT SCOPE: CONVERT EXISTING OH SERVICE TO UG.
 INSTALL NEW SERVICE TO POLE AT STREET SO SERVICE POLE CAN BE REMOVED.
 FEEDER IS GLK064 - OPERATING AT 7.9 KV PH TO GR - C-PHASE

SERVICE ADDRESS: 2643 SOUTH SHORE BLVD
 SN #: 11718545
 TRANSFORMER ID: W0006T06
 FEEDER: GLK064
 USE EXISTING METER

XCEL DESIGN CONTACT:
 TIM ROSSBACH
 651-779-3122 (O)
 651-983-2002 (M)

CUSTOMER CONTACT:
 DIANE CASTRO
 651-280-5007

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**Town Board Meeting
June 1, 2020**

Agenda Number: **5.G – Consent Agenda**

Subject: **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve Comcast Permit to Install by Directional Drilling an underground Cable Along Red Pine Boulevard & 120th Street to Service the Existing Golf Course

Documentation: Town Engineer Correspondence / map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve Comcast Permit to Install by Directional Drilling an underground Cable Along Red Pine Boulevard & 120th Street to Service the Existing Golf Course



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

May 28, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: Comcast Permit Application
Red Pine Boulevard and 120th Street
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

Comcast has applied for a permit to install by directional drilling an underground cable along Red Pine Boulevard and 120th Street to service the existing golf course. The attached map shows the project.

We recommend approval with the following conditions:

1. Contractor must protect resident driveway during installation.
2. Contractor must protect sewer and water services.
3. Contractor must protect watermain on the east side of Red Pine Boulevard and the south side of 120th Street.
4. Comcast has already applied for a Ramsey County permit.
5. Disturbed areas shall be restored equal to or better than original condition.
6. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
7. Call Gopher One-Call prior to any work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Studenski', written in a cursive style.

Jim Studenski, PE
Town Engineer
Enclosures

PERMIT NO. _____

CITY OF: White Bear Township

**APPLICATION FOR PERMIT FOR INSTALLATION OF UTILITIES
OR FOR PLACING UNDERGROUND CONSTRUCTION**



Name of Party or Organization performing work

Address 4255 Lexington Ave. N Suite 100 Arden Hills, MN 55126 Telephone 651-755-1907 (Ken Funari)

1 Nature of Work Underground cable installation

Type of Surface to be Disturbed

(Check type) Gravel Bituminous Concrete Boulevard

2 Location Along east side of Red Pine Blvd. south of 120th St. N. (County Rd. J East)

Street, Avenue, and House number 5610 120th St. N.

(Additional information attached when necessary) *NOTE: A Ramsey County permit has been submitted for work in County ROW

3 Size and kind of pipe, conduit or cable 1.5" HDPE conduit with coax cable

Depth from Surface (Min. 18") 36" - 48"

4 Method of Installation or Construction (including method of compaction & excavation)

PLOW PNEUMA GOPHER & TAMPER Aerial overlash to existing cable

BACKHOE Directional Bore Pull Through Existing Conduit

5 Work to start within 30 days and completed within 180 days thereafter

6 Will detouring of traffic be necessary? NO If so describe rerouting

COMCAST Project Number: **JB 348917**
Oneka Ridge Golf Course

For Comcast (Ken Funari)
(Applicant)

Signed by Scott T. Sandkamp

Dated 5/21/2020

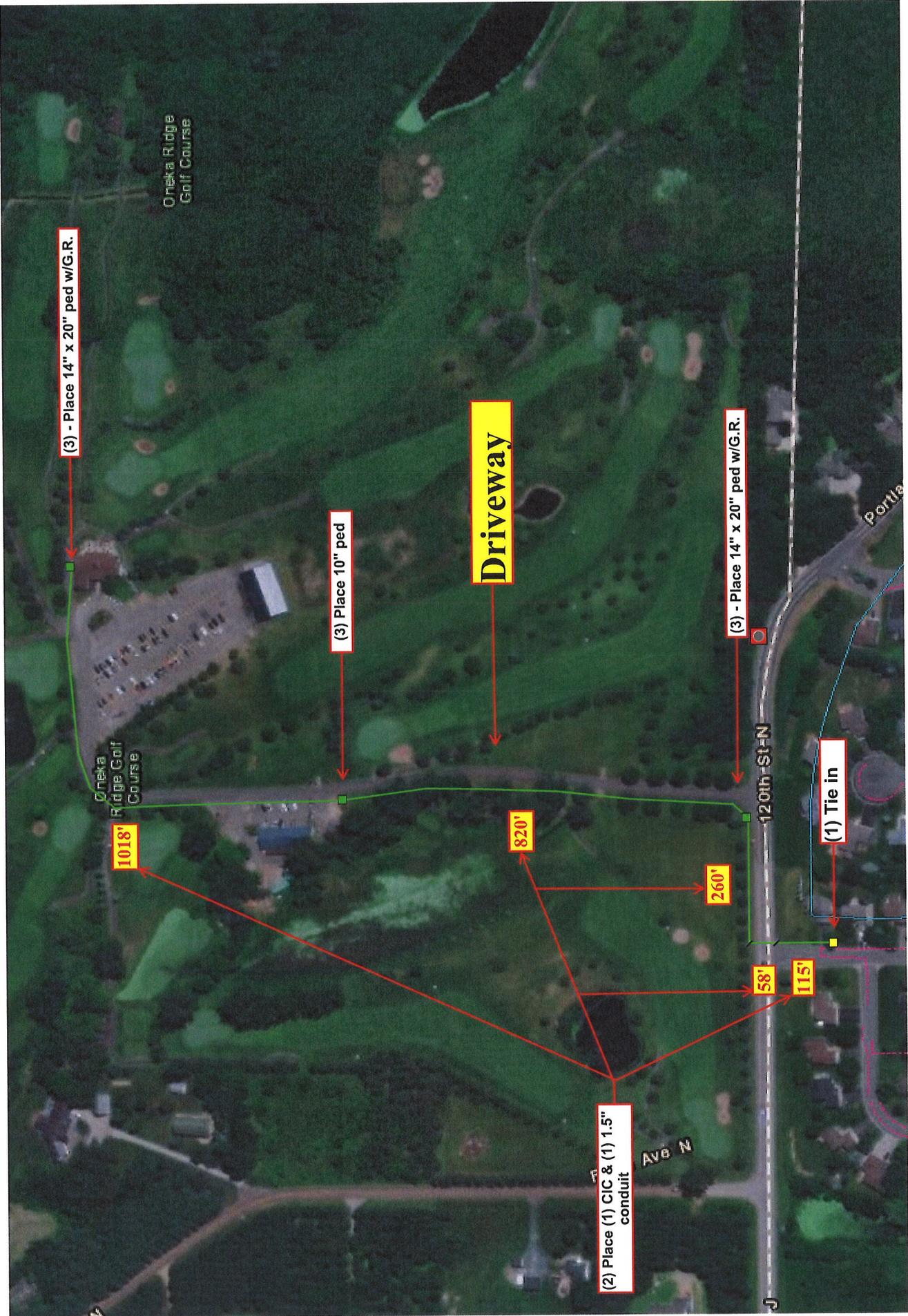
The date when work is completed must be reported to the person designed by municipality.

AUTHORIZATION OF PERMIT

Upon payment of permit fee in the amount of \$ - _____ and in consideration of the agreement to comply in all respects with the Street or Alley excavation ordinances and regulations applicable covering such operations, permission is hereby granted for the work to be done as described in the above application, said work to be done in accordance with special precautions required, as hereby stated:

It is expressly understood that this permit is conditioned upon replacement or restoration of the disturbed area to its proper condition in accordance with the appropriate rules and regulations.

APPROVED _____
DATED _____



(3) - Place 14" x 20" ped w/G.R.

(3) Place 10" ped

Driveway

(3) - Place 14" x 20" ped w/G.R.

(1) Tie in

1018'

820'

260'

58'

115'

(2) Place (1) CIC & (1) 1.5" conduit

Oneka Ridge Golf Course

Oneka Ridge Golf Course

120th St=N

Ave N

Portla



Town Board Meeting June 1, 2020

Agenda Number: 6.A – Old Business

Subject: **Ordinance No. 92:**
1. Rescind Action to Call Public Hearing
2. Adopt Ordinance

Documentation: Ordinance

Action / Motion for Consideration:

Receive Report / Discuss

- 1) Rescind May 18, 2020 Town Board action to call a Public Hearing for Monday, June 15, 2020
- 2) Adopt Ordinance No. 92 Which Regulates Non-Essential Water Usage Upon Critical Water Deficiency

Minutes
Town Board Meeting
May 18, 2020

ORDINANCE NO. 92 – ADOPT: The Public Works Director reported that Ordinance No. 92 is simply part of the protocol of the Water Supply Plan staff has been working on. This ordinance needs to be approved first to fulfill requirements for staff to proceed in the Plan that is required by the Federal Government. The Town Attorney has reviewed it and is comfortable with the way it was reviewed. There was some discussion over the need for a public hearing for this ordinance. It was the consensus that there should be.

Ruzek made the motion to call a public hearing for June 15th at 7:00 at Heritage Hall and approve publication for the public hearing in the *White Bear Press*.

ORDINANCE NO. 92

AN ORDINANCE REGULATING NONESSENTIAL WATER USAGE UPON CRITICAL WATER DEFICIENCY AS AUTHORIZED BY MINNESOTA STATUTES, SECTION 103G.291, SUBD. 1 AND 2

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR ORDAINS:

SECTION 1. PURPOSE. This ordinance establishes water conservation restrictions; and the plan will be in effect at any time the governor declares by executive order a critical water deficiency, pursuant to Minnesota Statutes, Section 103G.291. That to carry out its duties under Section 103G.291 the Town Board has elected to appoint the Town Clerk as Administrator.

SECTION 2. DEFINITIONS. For the purpose of this Ordinance certain words and terms are hereby defined as follows:

- 2.1 ADMINISTRATOR** shall mean and refer to that person serving as Town Clerk pursuant to Minnesota Statutes, Section 367.11.
- 2.2 DEPARTMENT** means the public works department.
- 2.3 EMERGENCY** means the declaration of a critical water deficiency by the governor.
- 2.4 IRRIGATION** means the watering of shrubs, trees, sod, seeded areas, gardens, lawns, or any other outdoor vegetation, except outdoor vegetation utilized for agricultural purposes.
- 2.5 NOTIFICATION TO PUBLIC** means notification through the Town's website, social media, and local media, including interviews and issuance of news releases.
- 2.6 PUBLIC WATER SUPPLIER** means the Town or other entity that owns, manages, or operates a public water supply, as defined in Minnesota Statutes, Section 144.382, Subdivision 4.
- 2.7 RECLAIMED WATER** means water collected from rooftops, paved surfaces, or other collection devices and all water utilized more than once before re-entering the natural water cycle.
- 2.8 WATER RECIRCULATION SYSTEM** means any system which enables a user to reuse water at least once prior to returning the water to the natural water cycle.

SECTION 3. APPLICATION.

- 3.1** This ordinance applies to all customers of public water suppliers who own or control water use on any premises.
- 3.2** No person shall make, cause, use, or permit the use of water received from a public water supply for residential, commercial, industrial, governmental, or any other purpose in any manner contrary to any provision in this ordinance.
- 3.3** Mandatory emergency conservation measures shall be implemented based upon the declaration of a critical water emergency by the governor.

SECTION 4. DECLARATION OF CRITICAL WATER DEFICIENCY. Upon the declaration of a critical water deficiency by the governor, the public water supplier shall immediately post notice of the emergency declaration at the usual meeting place of the Town Board, on the Town's website, on Social Media, and/or the official Town bulletin board(s). The Town shall provide notification to the public as quickly as possible or through established water supply plans emergency response plans or procedures.

SECTION 5. APPOINTMENT OF ADMINISTRATOR. Pursuant to the provisions of Minnesota Statutes, Section 367.11(8). The Town Board hereby appoints the person then serving as Town Clerk. The Administrator shall perform all acts necessary to carry out the provisions of this Ordinance without any further actions taken by the Town Board.

SECTION 6. MANDATORY EMERGENCY WATER CONSERVATION MEASURES. Upon declaration of a water emergency and notification to the public, the following mandatory restrictions upon nonessential water use shall be enforced:

6-1. Outdoor irrigation of yards, gardens, golf courses, parklands, and other non-agricultural land, except for those areas irrigated with reclaimed water, is prohibited.

6-2. Washing or spraying of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas with water from any pressurized source, including garden hoses, except to alleviate immediate health or safety hazards, is prohibited.

6-3. The outdoor use of any water-based play apparatus connected to a pressurized source is prohibited.

6-4. Restaurants and other food service establishments are prohibited from serving water to their customers, unless water is specifically requested by the customer.

6-5. Operation of outdoor misting systems used to cool public areas is prohibited.

6-6. The filling of swimming pools, fountains, spas, or other exterior water features is prohibited.

6-7. The washing of automobiles, trucks, trailers, and other types of mobile equipment is prohibited, except at facilities equipped with wash water recirculation systems, and for vehicles requiring frequent washing to protect public health, safety, and welfare.

SECTION 7. VARIANCES. The Town Clerk or his or her designee, is authorized to grant variances to this ordinance where strict application of its provisions would result in serious hardship to a customer. A variance may be granted only for reasons involving health or safety. An applicant may appeal the denial of a variance within five (5) days of the decision by submitting a written appeal to the Town Clerk. The Town Board shall hear the appeal at the next Town Board meeting. The decision of the Town Board is final.

SECTION 8. VIOLATION.

8.1 Violations shall be determined and cited by the Town Clerk or his/her designee. A violator may appeal the citation within five (5) days of its issuance by submitting a written appeal to the Town. The Town Board shall hear the appeal at the next Town Board meeting. The decision of the Town Board is final. Violators may be granted an administrative waiver if evidence is provided that equipment failure was the cause of the violation. A letter from a qualified vendor or equipment invoice will be required to show proof of equipment failure.

8.2 Upon discovery of a first violation, the violator shall be issued, either personally or by mail, a warning letter that sets forth the violation and which shall describe the remedy and fines for future violations.

8.3 Upon subsequent violations at the same location, the violator shall be issued, either personally or by mail, a citation that sets forth the violation and shall describe the remedy.

8-4. Fines shall be added to the monthly water bill of the owner or current occupant of the premises where the violation occurred. The imposition of the fine shall in no way limit the right of the Town to pursue other legal remedies.

SECTION 9. ENFORCEMENT. The Town Clerk or his/her designee is authorized to designate Town employees or law enforcement personnel to enforce the provisions of this ordinance.

SECTION 10. SEVERABILITY. If any provision of this ordinance or the application of any provision to a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of the ordinance and the application of the ordinance to any other situation shall not be invalidated.

SECTION 11. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 1st day of June, 2020.

APPROVED:

ED M. PRUDHON, Chair

ATTEST:

PATRICK CHRISTOPHERSON, Clerk-Treasurer

Town Board of Supervisors:
ED M. PRUDHON, Chair
STEVEN A. RUZEK, Supervisor
SCOTT E. MCCUNE, Supervisor

Synopsis published in the White Bear Press on June 3, 2020.



**Town Board Meeting
June 1, 2020**

Agenda Number: 6.B – Old Business

Subject: Emergency Management Team Report:

1. Ramsey County COVID 19 Incident Management.
2. Contract Group Update.
3. Attorney Update.
4. Operations Logistics/Administrative Offices – Rescind Resolution Declaring Civil Emergency.

Documentation: Resolution

Action / Motion for Consideration:

Receive Memo / Discuss

Rescind Resolution Declaring Civil Emergency Originally Passed March 16, 2020

Minutes
Town Board Meeting
May 18, 2020

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that he met on Monday the 18th with the Ramsey County Manager's Office and went over the numbers of those affected by COVID-19. The majority of the conversation was around neighboring municipalities openings and re-openings. Since the meeting, the Clerk's suggestion for staff is to postpone appointment traffic until June 1st, and continue staggering shifts until June 1st, keeping the office closed to the public until June 1st. This is similar to Township neighbors.

2. Contract Group Update: The Contract Group did not meet. / There are no updates.

3. Attorney Update: The Town Attorney noted that due to the Governor's original order set to expire as of June 1st, that government meetings are now exempt from the 10 person limit. There was discussion of the June 1st Town Board meeting. It was decided that it will be at Heritage Hall at 7 p.m. per normal, with social distancing practicing put in place. The Town Board will lift the Emergency Declaration but keep the Emergency Management Team. Details of the night were discussed: the

Board and staff will not wear masks due to the microphone and recording purposes, but will be 6 feet away; Christopherson will handle all incoming traffic, keeping folks outside until their public hearing or agenda item is being discussed, etc. It was noted that staff will set up chairs so there are only a few in the room, granting fewer people to be present in the room at a time.

4. Operations Logistics/Administrative Offices/Public Works – Revise Declaration of Emergency: The Town Clerk's suggestion for staff is to postpone appointment traffic until June 1st, and continue staggering shifts until June 1st, keeping the office closed to the public until June 1st. This is similar to Township neighbors.

5. Park Closing: The Town Clerk reported that the parks are opened, but the activities, celebrations, organizations, and events, etc. are all still tentative in scheduling. It is up to each group to ensure social distancing practices are had at this point. There was some discussion over the portable toilets. There was some discussion on Ramsey County's mandates and the Otter Lake School softball team practicing. It was noted that they were social distancing.

RESOLUTION DECLARING CIVIL EMERGENCY

WHEREAS, the virus named “SARS-CoV-2,” is a new strain of coronavirus that has not previously been identified in humans and can easily spread from person to person and which causes a disease named “coronavirus disease 2019,” commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death; and

WHEREAS, on January 21, 2020 the first case of COVID-19 was detected in the United States; on March 6, 2020 the first case of COVID-19 was detected in the State of Minnesota; and as of March 16, 2020, there are thirty-five known cases of COVID-19 in Minnesota, including cases in Dakota County; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize and all necessary resources to be used in support of the COVID-19 response; and

WHEREAS, as of March 15, 2020 the World Health Organization Situation Report confirmed a total of 153,517 cases of COVID-19 in over 135 countries, including 5,735 deaths; and as of March 15, 2020 a total of 77 cases of COVID-19 have been reported in Minnesota including 12 in Ramsey County; and

WHEREAS, COVID-19 has been identified by the World Health Organization as a pandemic, and the United States Centers for Disease Control has provided guidance for individuals, healthcare professionals, and businesses to slow the spread of COVID-19, which include cancelling or postponing in-person events that involve more than fifty people for eight weeks; and

WHEREAS, the Town of White Bear has been preparing for weeks, working diligently with local, state, and federal partners to maintain situational awareness and respond to COVID-19; and

WHEREAS, additional local cases will trigger a more aggressive public health response and are predicted to impact residents of Town of White Bear and those who work in or travel through the Town, including Town employees; and the need for social distancing, school closings, and quarantine methods to stop the spread of COVID-19 is expected to cause significant challenges; and

WHEREAS, the Town Board of Supervisors find that this situation threatens the health, safety, and welfare of the citizens of the community and will cause a significant impact on the ability of public safety personnel to address any immediate dangers to the public as a result of COVID-19; and

WHEREAS, the Town Board of Supervisors and Town Clerk find that traditional sources of financial aid, assistance and relief will not be able to compensate for the potential impact of COVID-19, and have determined that the necessary resources to respond to and recover from this pandemic will exceed those

resources available within the Town of White Bear, and additional resources will be needed from Ramsey County and state and federal sources.

NOW, THEREFORE BE IT RESOLVED

1. That pursuant to the provisions of Minnesota Statutes, Chapter 12 The Town Board of Supervisors hereby declares that a local emergency exists within the Town of White Bear, effective March 16, 2020, with all the powers and responsibilities attending thereto as provided by Minnesota Statutes, Chapter 12, and further proclaims that such emergency constitutes a declared emergency pursuant to Ordinance 14 of the Town of White Bear
2. Directs Town Staff to review ordinance and regulatory requirements, operations, civil and legal proceedings, events, and resources to determine whether the foregoing should be adjusted or suspended, and to make recommendations regarding additional emergency regulations to support the employees and residents of the Town of White Bear.
3. Directs all Town departments and offices to operate and support the response to this incident, under the direction and coordination of the Emergency Management Team, including implementing new employee protocols, strategies, and processes to ensure that public services are maintained.
4. Directs the Town Clerk and other appropriate Town staff to request and coordinate appropriate aid and resources from surrounding jurisdictions, Ramsey County, the State of Minnesota, and the Federal government, as needed.
5. Declares, under Minnesota Statutes, Section 13D.021, that in-person meetings of the Town Board, Planning Commission, and other advisory commissions of the Town of White Bear are not practical or prudent due to the COVID-19 health pandemic and the peacetime emergency declared by Governor Walz pursuant to Minnesota Statutes, Chapter 12, and hereby directs that meetings of the Town Board, Planning Commission, and other advisory commissions of the Town shall be conducted by telephone or other electronic means, and hereby directs Town Staff to take such action as may be necessary to enable such meetings to occur via telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021, until such time as it is no longer impractical or imprudent for the Town Board, Planning Commission, and other advisory commission to resume in-person meetings.
6. Appoints Ed M. Prudhon, Patrick Christopherson, Dale Reed and Chad Lemmons as the Town Emergency Management Team with all powers and authority set forth in Minnesota Statutes Chapter 12, and acts amendatory thereof.
7. The provisions of this Resolution shall remain in full force and effect until rescinded by the Town Board of Supervisors. Orders that this resolution be given prompt and general publicity and that it be filed promptly by the Town Clerk.

Adopted this 16th day of March, 2020

By the White Bear Town Board


Town Chair

Attested to by


Town Clerk



**Town Board Meeting
June 1, 2020**

Agenda Number: 7.A – Public Hearings

Subject: None

Documentation:

Action / Motion for Consideration:

Receive Information / Discuss



**Town Board Meeting
June 1, 2020**

Agenda Number: 8.A – New Business

Public Works Director Item:

Subject: Ash Tree Stump Removals:

1. Receive Quotes
2. Award Quote

Documentation: Staff Memo w/ attachments

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Staff Review & Recommendation:

- 1) Receive Quotes from White Bear Lawn and Snow; SavaTree.
- 2) Approve Quote from White Bear Lawn and Snow in the Amount of \$9,845.00 for Stump Removal Noting Funding From the Parks and Road & Bridge Budgets.

Date: May 26, 2020

To: Town Board

From: Peter Tholen, Field Maintenance Supervisor; Dale Reed, Public Works Director

Re: Ash Tree Stump Removal

As you are aware the Emerald Ash Borer (EAB) has been identified in Ramsey County and on Private property within the Township. Public Works, in anticipation of the infestation, has removed 82 Ash trees (minus the stumps) over the winter. Public Works contacted four (4) stump grinding/restoration contractors to solicit a quote for the work. Out of the 4, there were three that responded back. They were White Bear Lawn and Snow, SavATree, and Budget Tree. Below are the contractors and their respective quotes/responses.

1. White Bear Lawn and Snow for \$9,845.00.
2. SavaTree for \$12,275.
3. Budget Tree stated that they were too busy to take on any more work.

Funding for this will come from the Parks and the Road & Bridge Budgets.

Town Board action is to accept the quotes and approve the quote from White Bear Lawn and Snow for \$9,845.00.

White Bear Lawn and Snow, LLC
 1367 County Rd H2 E
 White Bear Township, MN 55110
 651-755-8390
 whitebearlawnandsnow@gmail.com
 www.whitebearlawnandsnow.com

Estimate



ADDRESS
 Pete Tholen
 White Bear Township
 1281 Hammond Rd
 Saint Paul, MN 55110
 United States

SHIP TO
 Pete Tholen
 White Bear Township
 1281 Hammond Rd
 Saint Paul, MN 55110
 United States

ESTIMATE #	DATE
1055	05/08/2020

P.O. NUMBER
 Stump Grinding

DATE	DESCRIPTION	QTY	RATE	AMOUNT
05/08/2020	Stump Grinding, clean up, black dirt and seed of 82 stumps as described on maps and marked in Township Parks.	1	7,350.00	7,350.00T
05/08/2020	4875 Constellation Dr. Removal of trees and scrub brush.	1	2,495.00	2,495.00T
			SUBTOTAL	9,845.00
			TAX	0.00
			TOTAL	\$9,845.00

Accepted By

Accepted Date



SavATree
 12450 Hudson Road S., Afton MN 55001
 P: 651-964-4001 F: (715) 749-3465
 E: afton@savatree.com

Estimate # 440819
Prepared By Michael Sombrio
ISA Certified Arborist
msombrio@savatree.com

Estimate for
 Tom Riedesel White Bear Township
For Service At:
 5335 Oakwood Drive, White Bear Lake MN 55110
Account Key: 1027254

Recommendations

General Tree Care

Stump Grinding Premium \$12,275.00

Grind the following accessible stumps 3-6 inches deep and haul away debris.

Haul debris to designated Township site.

Backfill with soil and sprinkle with grass seed. Seed not guaranteed to germinate.

I will have the public utilities located. Private utilities/irrigation must be marked by the customer. Not responsible for any potential damage to unmarked private utilities.

(82) stumps at various parks with in the Township

- Obstacle: Windows
- Obstacle: Siding
- Obstacle: Sidewalk

General Tree Care	\$0
Recycling	\$0
Cabling & Bracing	\$0
Special Work / Special Equipment	\$0
Stump Grinding	\$12,275.00
Permit(s)	\$0



**Town Board Meeting
June 1, 2020**

Agenda Number: 8.B – New Business

Town Engineer Item:

Subject: Peterson Road Improvement:
1. Receive Feasibility Report
2. Call Neighborhood Meeting

Documentation: Town Attorney Memo / Resolution / Calendars

Action / Motion for Consideration:

Town Engineer Report at Meeting / Discuss

- 1) Based on Staff Review & Recommendation Adopt **Resolution Receiving Report for a Street & Utility Improvement**

Ruzek – Moves

McCune – Seconds

- 2) Call Neighborhood Meeting

Minutes
Town Board Meeting
May 18, 2020

PETERSON ROAD – IMPROVEMENT DISCUSSION – NEIGHBORHOOD MEETING DISCUSSION:

The Town Engineer summed up previous discussion of Peterson Road: how it is the last gravel road in the Township and the County; there is no sanitary sewer or watermain; part of the road isn't even on the right-of-way; etc. The Town Board has been looking to fix these things and had talked about it at the Executive Town Board meeting in April. Perhaps the Town could add on Peterson Road improvements during this time to capitalize on the marketable as favorable bids have come in for the 2020 street improvements.

Since north of Mehegan Lane is wetland to the west and the right-of-way isn't in the road, the north half would be considered in the future. It would make more sense to the Board to improve this part of the road when there is more development in that area. Because of this, the Town wants to include sanitary sewer, water, and paved road to the southern portion of Peterson Road.

He noted the terrain and tree cover gives 2 road options when it comes to the sidewalk: either on the road for a total width of 32 feet (option 1) or off the road for a total width of 34 feet (option 2). There were discussions of both of these options: on road sidewalk is easier to plow, the on road option made sense on one hand because the area is not heavily trafficked; but the sidewalk would connect elsewhere and may make more sense once the rest of the road is finished since the road will be shifted anyway. There was consensus on option 2.

Going from there, once the Board talks more of funding options at the Executive Town Board meeting, then the Town Engineer will set up a neighborhood meeting.

MEMORANDUM

DATE: May 28, 2020
TO: White Bear Town Board
FROM: Chad D. Lemmons
RE: Levying Assessments

When determining whether or not to assess a property there are three questions that need to be answered:

- 1) Did the land receive a special benefit;
- 2) The assessment must be uniform or on the same class of property; and
- 3) The assessment may not exceed the special benefit received by an individual property.

As to the first question if the improvement increases the market value of the assessed property then a special benefit has been received, see *Buzick v. City of Blaine*, 505 N.W.2d 51, However, if the present improvements such as water or sewer are sufficient to develop the property as planned then there is no special benefit, see *Southview Country Club v. City of Inver Grove Heights*, 236 N.W.2d 385. Please note that this would not apply to properties presently served by a septic system and well when the proposed improvement is sanitary sewer and water. In such a case a special benefit would exist.

As to the second question. All that is required is that properties in a certain class such as residential, be treated the same.

As to the third question the difference in the fair market value of the property be for the improvement and the fair market value of the property after the improvement must exceed the amount levied.

Back to the first question the properties located 5425, 5441, 5451, 5470, 5474 receive a special benefit. They are now served by a paved street and possibly sewer and water. Again, even though they may presently have functioning wells and septic systems those systems will eventually have to be replaced. Replacement can be accomplished by connection to the sewer and water constructed by the town. In addition, the ability to connect to town water and sewer will make a property more valuable to future purchasers.

1118 and 1119 Mehegen Lane. while these properties do not need sewer and water, the paving of Peterson Road along their boundaries should enhance the values of the properties.

Provence Lane. These properties are already served by sewer and water facilities which are sufficient to meet their needs. Those properties also do not use Peterson Road as a means of access. For these reasons those properties do not receive a special benefit; therefore, cannot be assessed, see *Southview Country Club v. City of Inver Grove Heights*, 263 N.W.2d 385.

Unless the improvements are extended to 5530, 5566 and 5571 Peterson Road, there does not appear to be any present benefit; therefore, these properties cannot be assessed. However, if and when the paving of Peterson Road and possibly sewer and water are extended past these

properties they will receive a special benefit. Because part of the special benefit maybe derived from earlier improvements to Peterson Road, a portion of the cost related to the earlier improvement could then be assessed against these properties, see Minn. Stat. § 429.051, 429.061 Subd. 1, and Quality Homes Inc., v Village of New Brighton, 183 N.W.2d 555.

If the Town does intend to assess these properties in the future any notice of assessment sent will have to note that the assessment also includes an assessment for past expenses incurred. Note that any costs the Town intends to recover through future assessments must be deducted from the present assessment principal see Quality Homes Inc., v Village of New Brighton, 183 N.W.2d 555.

Regarding the third question a conservative estimate is that paving of Peterson Road will increase the value of the Peterson Road properties by \$80-150 per front foot. Mehegen Lane properties would also receive an equivalent increase in market value. Adding sewer and water would increase the value of the Peterson Road properties by \$25,000.00. Note this is a simply an oral estimate. The exact amount should be received on Monday. The Mehegen Lane properties would not experience an additional increase in value due to sewer and water; therefore, should only be subject to an assessment for the road improvements.

While it maybe that replacing the Mehegen Lane residential properties in a class separate from the Peterson Road residential properties, the Town can justify the different treatment, because the Mehegen properties already have sewer and water they would be in a special class of residential properties already serviced by sewer and water. The Peterson Road properties, which are not serviced by sewer and water, would therefore be in a class of residential properties that are not serviced by sewer and water.

Please feel free to contact me with any questions.

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON JUNE 1, 2020

Pursuant to due call and notice thereof, a Regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on June 1, 2020, at 7:00 p.m.

The following members were present: Prudhon, Ruzek, McCune; and the following members were absent: None.

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT FOR
A STREET & UTILITY IMPROVEMENT**

WHEREAS, pursuant to a Resolution of the Town Board adopted December 2, 2019, a report has been prepared by TKDA, consulting engineers for the Town of White Bear, with reference to the acquisition, installation and construction of watermain extensions and appurtenances thereto, and a sanitary sewer collection system including collectors, laterals, mains and appurtenances thereto, and also street construction and re-construction, concrete curb and gutter and storm drainage and appurtenances thereto, in connection therewith in the area of the Town of White Bear lying and being in Section 4 and Section 9, Township 30, Range 22, Ramsey County, Minnesota,

AND WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effect, and feasible,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

That the report heretofore prepared by TKDA is hereby received by the Town Board.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor McCune, and upon vote being taken thereon, the following voted in favor thereof: Prudhon, Ruzek, McCune; and the following voted against the same: None.

Whereupon said Resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) ss.
)
TOWN OF WHITE BEAR)

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Extract of Minutes of a Special Meeting of the Town Board of the said Town held on the 1st day of June, 2020, with the original on file in my office, and that the same is a full, true and complete transcript thereto, insofar as the same relates to a Resolution relating to a street improvement.

WITNESS my hand as such Clerk and the Town Clerk's seal this 1st day of June, 2020.

TOWN CLERK, TOWN OF WHITE BEAR, MINN.

June 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 TB Mtg	2	3 Plann Comm	4 PSC Mtg	5	6
7	8	9 EDAB Mtg	10	11 Utility Comm	12	13
14	15 EDA/TB Mtg 1) comm Recomm	16	17	18 Park Bd	19	20 Spring Clean-Up
21	22 Cont'd 2) Hockey Day 3) Ord 69 4)Fin Software	23	24	25 Planning Comm	26 Exec Mtg 1) DNR 2) Audi- tors?	27
28	29	30				
30						

July 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2 Public Safety Comm	3	4 4th of July
5	6 TB Mtg 1)2nd Qtr Fin Rpt 2) Waiver of Liab	7	8	9 Utility Comm	10	11 
12	13	14 EDAB Mtg 1)Reschedule	15	16 Park Bd	17	18
19	20 EDAB/TB Mtg 1)Call nite to Unit SP TB Mtg 2)2nd Qtr Con Rpt3)2nd Qtr Fin Rpt4) Comm Recomm 5) Scannell Easement Vacation	21	22	23 Planning Comm	24 Exec Mtg 1) DNR 2) Reschedule Sept 7 TB Mtg	25
26	27	28	29	30	31	



**Town Board Meeting
June 1, 2020**

Agenda Number: 8.C – General Business

Subject: Stable Property – Sale Process

Documentation: Town Attorney Memo (to be forwarded separately)

Action / Motion for Consideration:

Report at Meeting / Discuss

Approve Sale Process for Stable Property



**Town Board Meeting
June 1, 2020**

Agenda Number: 9 – 10- 11

Subject: 9. Open Time
10. Added Agenda Items
11. Receipt of Agenda Materials & Supplements
12. Adjournment

Action / Motion for Consideration:

Open Time

Added Agenda Items

Receive All Agenda Materials & Supplements for Tonight's Meeting

Adjourn Meeting